WORKING TOGETHER FOR SAFER COMMUNITIES

Submission to

THE COMMISSION ON FIRST NATIONS AND MÉTIS PEOPLES AND JUSTICE REFORM

Justice
Corrections and Public Safety

January 2003

Errata

Departments of Justice and Corrections and Public Safety Submission to the Commission on First Nations and Métis Peoples and Justice Reform

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Table 1: Federal-Provincial Contributions to Criminal Justice Programs, 2002-2003

Young Offenders	
Provincial Funding -	$35,439,000
Federal Funding -	$7,600,000
Total Funding -	$43,039,000
Percentage Contributed by the Federal Government -	17.7%

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THE COMMISSION ON FIRST NATIONS AND MÉTIS PEOPLES AND JUSTICE REFORM

by

Saskatchewan Justice and
Saskatchewan Corrections and Public Safety

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INTRODUCTION

All people have in common the desire to live in safe, secure communities. Saskatchewan Justice and Saskatchewan Corrections and Public Safety share that goal. Realizing this vision requires that our departments provide programs and services that support communities in addressing the complex issues of crime, victimization, and offending. It also requires responding to the negative influences of serious issues such as substance abuse and family violence.

These negative influences, which are particularly challenging in some Aboriginal communities, can lead to Aboriginal people becoming involved in the justice system - both as victims and offenders. In addition, the level of victimization and offending in some Aboriginal communities and the highly publicized nature of some incidents creates an environment where it is more difficult to build trust and positive relations between Aboriginal and non-Aboriginal peoples.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are using four strategic approaches to address crime and community safety:

- building community ownership and capacity to address the factors associated with offending and victimization;
- developing partnerships;
- adapting the criminal justice system so that it recognizes and is respectful of the values of Aboriginal peoples and meets their needs for safety and security; and
- improving the effectiveness of services to victims, offenders and communities.

In many places in this document we speak of community in terms of a geographic area, such as a town, city or region. We also use the term to refer to people who are connected through networks of relationships. For example, many people belong to personal communities that include friends, family, coworkers, and members of spiritual or recreational associations. For many First Nations peoples, communities also include personal connections to bands and reserves.

This introductory section describes stakeholders in the criminal justice system, the role of the federal government in addressing the issues of Aboriginal peoples, the financial contributions of the federal and provincial governments to the criminal justice system, and the role of Saskatchewan Justice in negotiations about self-government and self-determination.

Section II describes how the departments have addressed the problems of crime, victimization and offending over the past three decades. Section III describes the problem of victimization and offending in Aboriginal communities and provides an explanation about why this occurs. Section IV discusses the four strategic approaches and, finally, Section V discusses the emerging issues of gangs and organized crime.

Introduction to the Justice System

The justice system includes a number of federal, provincial and municipal institutions that carry out different roles and responsibilities. While these organizations work together, they have varying degrees of independence. For example, both the federal and provincial governments appoint judges but governments cannot tell judges what they should decide in a case. Further, only judicial authorities can discipline judges. This independence is vital to ensure that the criminal justice system is free from political interference.

Under section 91 of the *Constitution Act*, the federal government is responsible for enacting criminal law, such as the *Criminal Code* and the *Young Offenders Act*, and for enacting laws about the procedures used in criminal cases. The federal government may also pass other federal laws that must be enforced by the justice system. In addition, the federal government is responsible for operating penitentiaries and appointing superior court judges.

Under section 92 of the *Constitution Act*, the province is responsible for the administration of justice in Saskatchewan. This includes prosecuting *Criminal Code* offences as well as administering the courts and providing policing and other services such as victim services. The province is also responsible for administering custody sentences less than two years for adults, all youth sentences and for appointing provincial court judges.

The Charter of Rights and Freedoms is a part of the *Constitution Act, 1982*. It is very important in criminal law because it sets out the constitutionally protected rights and freedoms all Canadians enjoy. All laws in Canada must conform to the Charter, which guarantees:

- the right to be free from unreasonable search and seizure;
- the right not to be arbitrarily detained or imprisoned;
- the right to trial within a reasonable length of time;
- the right on arrest to retain and instruct legal counsel; and
- the right to be presumed innocent of an offence until proven guilty.

Under the federal *Indian Act*, First Nations governments can develop band bylaws for local community regulation and may, by agreement with the federal or provincial government, provide a range of justice services.

The federal Justice Department is responsible for administering the federal courts, which include the Federal Court, the Supreme Court of Canada, and the Tax Court. The federal government appoints judges to these courts and to the superior courts in the provinces. In Saskatchewan, the superior courts include the Court of Queen's Bench and the Saskatchewan Court of Appeal. The federal Justice Department also supports community justice programs in Saskatchewan through the Aboriginal Justice Directorate and crime prevention programs through the National Centre for Crime Prevention.

The other federal departments or agencies that have responsibility for justice issues include the Solicitor General, Correctional Service of Canada, and the National Parole Board. The Solicitor General of Canada is responsible for the Royal Canadian Mounted Police (RCMP).

The Correctional Service of Canada is responsible for inmates serving sentences of two years or more. The National Parole Board holds parole hearings for inmates serving jail sentences in federal correctional institutions. In addition, the National Parole Board is responsible for holding hearings for provincial inmates in Saskatchewan because there is no provincial parole board. The Correctional Service of Canada is also responsible for supervising offenders on parole.

Saskatchewan Justice is responsible for ensuring that federal and provincial laws are enforced and that justice is administered appropriately within the province. In terms of the criminal justice system, this includes administering the provincial policing contract with the RCMP, appointing judges to the Provincial Court, funding the Saskatchewan Legal Aid Commission and administering the Saskatchewan Aboriginal Courtworkers Program, Public Prosecutions, and community justice, victims services, policing and crime prevention programs.

Saskatchewan Corrections and Public Safety is responsible for adult inmates serving sentences of two years or less. The Department is also responsible for maintaining provincial correctional institutions and youth custody facilities, providing alternative measures for youth, and supervising offenders serving sentences in the community.

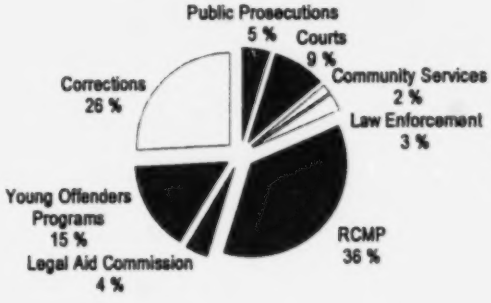
The law and the administration of justice are continually evolving. For example, the *Young Offenders Act* will be replaced by the *Youth Criminal Justice Act* on April 1, 2003. This federal legislation will have a major impact on how youth justice services are delivered in Saskatchewan. Saskatchewan Justice, Corrections and Public Safety, Health, Learning, and Social Services made a presentation to the Commission on First Nations and Métis Peoples and Justice Reform in August 2002, about the impact of the new legislation and the work that is being done to implement the Act.

Chart 1 (opposite) outlines the costs of the criminal justice programs and services provided by Saskatchewan Justice and Saskatchewan Corrections and Public Safety for 2002-2003.

For more information about these services, please refer to the Saskatchewan Justice website at www.saskjustice.gov.sk.ca and the Saskatchewan Corrections and Public Safety website at www.cps.gov.sk.ca.

Municipal governments provide policing services in larger municipalities under provincial legislation, and operate traffic or municipal by-laws courts. Health regions, schools and school boards, and community-based organizations also support and facilitate the justice system. These organizations provide programs to deal with issues such as addictions and mental health and participate in initiatives that prevent crime and build healthy families and communities.

Chart 1: Saskatchewan Justice and Corrections and Public Safety Criminal Justice Expenditures, 2002 - 2003*



* total criminal justice expenditures are $229.6 million
Source: Saskatchewan Finance, *Estimates 2002-2003*.

FEDERAL GOVERNMENT RESPONSIBILITY FOR FIRST NATIONS AND MÉTIS PEOPLES

The federal government has a unique fiduciary relationship with Aboriginal peoples. Accordingly, the federal government has a special obligation in its dealings with First Nations peoples to act in their best interest.

The federal government's relationship with First Nations peoples is also grounded in treaties. As Professor John Borrows, from the University of Victoria Law School, discussed at the Office of the Treaty Commissioner Justice Symposium in October 2002, the treaties are a foundation on which discussions about justice and many other issues between First Nations and non-Aboriginal peoples can build.

Developing the reserve system and sending Aboriginal children to residential schools are some of the central policies in Canadian history that had substantial effects - and unfortunately, often negative impacts - on Aboriginal peoples. As such, the impact of these decisions should be addressed as a national responsibility. These issues are particularly important in Saskatchewan. Aboriginal peoples form a large and growing part of the provincial population. According to 1996 Census data, Aboriginal peoples account for 11% of the Saskatchewan population, compared to about 5% for Alberta, almost 12% for Manitoba and 3% nationally.[1]

The federal government has generally interpreted its responsibilities as applying to First Nations peoples under treaties and to the Inuit, but not to First Nations peoples who live off-reserve or to the Métis. This is a matter of great concern to the province, both because many members of First Nations choose to live off-reserve and because there is a significant Métis population. Saskatchewan believes that all Aboriginal peoples should receive the same levels of service under the *Indian Act* - regardless of their status and whether they live on- or off-reserve.

[1] The figures from the 2001 census will be available in spring 2003. However, current estimates based on the 2001 census suggest that the Saskatchewan population 18 years and older is 723,665. The 2001 Aboriginal population 18 and older is estimated to be 60,800, and the non-Aboriginal population is 662,865.

COST-SHARING AGREEMENTS

Many justice services in Saskatchewan are provided as a result of financial contributions from both the federal and provincial governments. Table 1 summarizes the contributions to various cost-shared criminal justice programs.

While there is federal cost-sharing for young offenders programs, the amount of the federal government's contribution has been capped since the late 1980s. As costs have increased greatly since that time, the percentage of funds contributed by the federal government has been steadily shrinking.

Given the fiduciary responsibility the federal government has for First Nations peoples, it provides cost-sharing for the federal First Nations Policing Policy and Aboriginal Justice Strategy. These initiatives have been very helpful in developing Aboriginal justice programs in Saskatchewan. The First Nations Policing Policy involves First Nations and Tribal Councils in deciding what type of policing is most appropriate for their communities. The Aboriginal Justice Strategy provides cost-shared funds to a number of community-based justice programs. Continued federal support for these initiatives is critical.

Table 1: Federal-Provincial Contributions to Criminal Justice Programs, 2002 - 2003

Program	Provincial Funding $	Federal Funding $	Total Funding %	Percentage Contributed by the Federal Government
Saskatchewan Aboriginal Courtworker Program	590,000	500,000	1,090,000	50%
Community Justice Programs	2,160,000	1,200,000	3,360,000	36%
Saskatchewan Legal Aid Commission	6,100,000	2,800,000	8,900,000	31%
RCMP Provincial Policing	57,078,000	26,019,000	83,097,000	30%
RCMP Municipal Policing	20,043,000	7,180,000	27,223,000	Either 30% or 10%, depending on the population of the municipality
First Nations Policing	6,600,000	6,000,000	12,600,000	48%
Young Offenders	45,830,000	7,600,000	53,430,000	14%
Victims Services	3,200,000	75,000	3,275,000	Less than .02%

SELF-GOVERNMENT AND SELF-DETERMINATION

Saskatchewan acknowledges that section 35 of the *Constitution Act, 1982* recognizes and affirms the Aboriginal rights of three distinct categories of Aboriginal peoples - Indian, Métis, and Inuit. Saskatchewan also recognizes that it must honour the treaties entered into between the First Nations and the Crown and the inherent right of First Nations to govern themselves within the *Constitution Act*. Self-government refers to the ability to exercise jurisdiction or law-making authority over people and territory. Self-determination, on the other hand, is a broader concept. The Supreme Court of Canada described it as the right of a people to "freely determine their political status and freely pursue their economic, social and cultural development".[2]

Aboriginal justice reform must build upon and develop within the broader framework of self-determination and self-government. While the province supports the self-determination of Aboriginal peoples, we are interested in changes that are fair and equitable to both Aboriginal and non-Aboriginal peoples. The changes should not result in uncertainty over how the law would be applied. Changes should also be affordable and in the public interest. Further, it is important that a strong accountability framework be in place for the entire criminal justice system.

Saskatchewan Justice is involved in discussions with the federal government, the Federation of Saskatchewan Indian Nations (FSIN), and the Meadow Lake Tribal Council (MLTC) where self-government and related issues are being negotiated on-reserve.

The Department is also involved in discussions of a non-jurisdictional nature with the Métis-Nation Saskatchewan (MNS). Self-government is tied to a land base and, as the Métis people do not have a recognized land base, the Province is not in a position to negotiate Métis self-government. In January 2002, Saskatchewan proclaimed *The Métis Act* to formally recognize the economic and cultural contributions of Métis peoples and institutions. Through the Act, the Province has committed itself to work with the Métis people to address practical, non-rights based initiatives related to capacity building, land issues, harvesting and governance.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are dedicated to negotiating how the province's responsibility for administering justice can work with the Aboriginal delivery of justice services such as community corrections, policing, victims services and custody facilities or reintegration agreements for the early release and supervision of Aboriginal offenders. The departments are prepared to discuss the full range of ideas that could be considered under self-determination, which may include self-government approaches in some instances. We participate in discussions about self-government and self-determination within the mandate provided by Cabinet and on the premise that the *Criminal Code* and the *Charter of Rights and Freedoms* will continue to apply to all citizens of Saskatchewan.

[2] *Reference re Secession of Quebec* [1998] 2 S.C.R. 217.

HISTORIC OVERVIEW

In looking forward, it is important to understand from where we have come. This section of the submission describes how work within the justice system in Saskatchewan has evolved since the early 1970s.

Around 1970, there was a growing awareness in Saskatchewan and throughout Canada about Aboriginal rights and concern about the high number of Aboriginal people in the justice system. The Indian Justice of the Peace Program, the Indian Probation Officer Program and the Indian Special Constable Program were developed at that time to involve more Aboriginal people in working as police, probation officers and justices of the peace.

The Native Courtworker Program, a federal/ provincial program, was also developed at that time to help Aboriginal people accused of a crime understand their legal rights and the court process. The program was cancelled in 1987, but reinstated in 1995 as a joint initiative between Saskatchewan and the federal government.

Between 1980 and 1990, Saskatchewan was involved in a number of national discussions, such as the 1985 study with the FSIN and Justice Canada, *Reflecting Indian Concerns and Values in the Justice System*. These discussions were important because they set the stage for the federal government, the province and First Nations governments and organizations to discuss justice issues.

Between 1991 and 2002 there have been many further efforts to develop justice system reforms. For instance, the Indian Justice Review Committee and the Métis Justice Review Committee were established in 1991 to make recommendations about delivering criminal justice services to Indian and Métis peoples within the context of the existing justice system. The recommendations resulted in many policy changes and program developments, such as:

- increasing the number of community justice and alternative measures programs;
- reinstatement of the courtworker program;
- enhancing the availability of Legal Aid in the north and increasing the participation of Aboriginal peoples in the Legal Aid Commission board;
- providing cross-cultural training to prosecutors and Legal Aid staff;
- developing First Nations policing agreements, working with the RCMP and municipal police services to increase the number of Aboriginal police officers, and ensuring ongoing Aboriginal representation on the police commissions in Saskatoon, Regina and Prince Albert;
- holding court on-reserve in many First Nations throughout the province, working to increase the number of Aboriginal Justices of the Peace and court staff, and establishing the Northern Cree Circuit Court; and
- expanding correctional programs designed for Aboriginal inmates, expanding access to Elders in correctional centres, and opening the Prince Albert Grand Council Healing Lodge.

Ultimately, Saskatchewan Justice accepted all but four of the Justice Review Committees' recommendations.[3]

Saskatchewan Justice developed a four-year Aboriginal Justice Strategy in 1993, which was approved as part of the Government of Saskatchewan's Aboriginal Policy Framework in 1994. The Aboriginal Policy Framework is a broad policy framework to focus government activities and policies on partnerships, mutual respect and harmony to improve relations between Indian, Métis and non-Aboriginal peoples and to encourage greater participation of Indian and Métis peoples in the life of the province.

In 1994, Saskatchewan made a submission to the Royal Commission on Aboriginal People which suggested that Aboriginal justice reform must build on the potential for self-government and address the complexity within communities. It also suggested that practical action was needed at four levels: building bridges to meet the self-government and self-determination aspirations of Aboriginal peoples, crime prevention and reduction, making the justice system more responsive to the needs of Aboriginal peoples, and employment equity and race relations within the justice system. The strategic approaches outlined in this 2003 submission build on these themes, which have formed the foundation for the Departments' work for almost a decade.

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[3] The four recommendations that were not accepted include:
- That the RCMP and the municipal police services develop a tool to assess the use of cross-cultural skills in police work, and that performance reviews for police officers would evaluate the use of these skills. This was not implemented because there is no standardized assessment system for the municipal police forces, and each police service is responsible for developing its own criteria.
- That provincial and federal government departments consider whether it would be feasible to amalgamate the complaints process against the RCMP and municipal police forces into a single review agency. This was not implemented because the federal government preferred to maintain a separate complaints mechanism for the RCMP.
- That *The Legal Aid Act* be amended to establish regional advisory bodies that would have Aboriginal representation in order to provide community input into Legal Aid programs and policies. While the recommendation was not accepted, there is a Legal Aid Commission that determines policy about delivering Legal Aid in Saskatchewan, and there has been a strong component of Aboriginal representation on the Legal Aid Commission Board.
- That the RCMP would not transport judges into northern communities. This recommendation was not implemented because the cost of transporting judges separately would be prohibitive.

COMMUNITY-BASED JUSTICE DEVELOPMENT

During the past decade, Saskatchewan Justice adopted a community-based approach that focuses on involving communities in identifying issues, deciding how to address them and accessing resources. This approach began in the 1970s when Corrections started working with communities to deliver fine option and diversion programs.

Government became more involved in a community-based approach to justice in the mid-1980s, partly because the coming into force of the *Young Offenders Act* in 1984 spurred the development of youth justice programs. Saskatchewan Social Services provided the first funding to a community-based justice program in 1984 to the John Howard Society of Saskatchewan for youth diversion. Saskatchewan Justice provided the first funding for an adult community-based justice program to Saskatoon Community Mediation Services in 1987.

Saskatchewan Justice became much more focused on a community-based justice approach after 1993. For example, the first funding to a community justice program that focused on Aboriginal peoples was provided to the Regina Aboriginal Human Services Co-operative by Saskatchewan Justice, in partnership with Saskatchewan Social Services and the Saskatchewan Indian and Métis Affairs Secretariat, in 1994.

Since these modest beginnings, a range of community-based justice programs have been developed. Tables 2 and 3 describe the community-based justice programs that are currently supported by Saskatchewan Justice and Saskatchewan Corrections and Public Safety. As the tables indicate, there has been a significant amount of work done to develop partnerships with Aboriginal and community-based organizations and to involve Aboriginal and non-Aboriginal communities in delivering justice programs.

Table 2: Provincial Community-based Justice Programs 2002-2003

Program	2002/03 Budget $$	Program availability
Victim Services		
• Police-affiliated victims services programs	1,238,100	17 programs provide service to over 80% of the province with 320 volunteers serving 16,000 victims
• Victim/Witness Coordinators	257,200	Services offered to children and adults in Regina, Saskatoon, and Prince Albert
• Aboriginal Family Violence	381,500	8 programs in Regina, Saskatoon, Prince Albert, Yorkton and Battlefords
• Aboriginal Resource Officers	250,000	8 officers in Regina, Saskatoon, Prince Albert, Yorkton, La Ronge, and Battlefords
• Specialized crisis intervention services	318,000	5 specialized services serving children and women in Regina and Saskatoon
• Compensation	400,000	341 victims were awarded compensation.
Policing		
• First Nations policing	12,600,000	30 agreements in place with 45 First Nations serving over 75% of on-reserve people, involving 103 RCMP members and 5 members of the File Hills Police Service
• Crime prevention	260,000	6 programs in Regina, Saskatoon and Prince Albert
• Community police boards	-	Agreements in place with 35 northern municipalities
Aboriginal Courtworker Program		
• Courtworker services	1,090,000	27 courtworkers provide service at 76% of court points for over 12,000 clients
Community Services		
• Restorative justice programs	1,387,000	Adult alternative measures are offered in Battlefords, Beauval, Big River, Buffalo Narrows, Cumberland, Estevan, Fort Qu'Appelle, La Loche, Lloydminster, Meadow Lake, Melfort, Moose Jaw, Nipawin, Prince Albert, Regina, Saskatoon, Spiritwood, Swift Current, Tisdale, Weyburn, and Yorkton involving 52 caseworkers
• Aboriginal community justice programs	2,360,000	Agreements in place with 16 Aboriginal organizations and governments covering 67 First Nations and involving 50 caseworkers. These programs involve crime prevention, restorative justice, alternative measures and supports for victims and offenders.

Adult Corrections		
• Fine Option/Community Service Order programs	284,000	352 agents are contracted to manage these programs, which provide offenders with an opportunity to make restitution to victims and communities. Approximately 65 agreements operate on First Nations reserves.
• File Hills Qu'Appelle Tribal Council Probation Services	50,000	The File Hills Qu'Appelle Tribal Council delivers probation services to nine of the sixteen reserves under their jurisdiction.
• Reintegration Agreements	-	Ten agreements have been signed with First Nations bands to participate in the case management process or in supervising offenders released into their home communities.
• Al Ritchie and Albert Scott Community Service Centres	102,000	Regina Qu'Appelle Community Operations Region has partnered with the police, the Department of Social Services and community groups to offer services within the core areas of Regina.
• Alternatives to Violence	15,000	The Estevan Community Operations sub-office offers this program at the White Bear First Nation.
• Domestic Violence Program	6,500	The Prince Albert Community Operations Region offers this program for clients from the Shoal Lake and Red Earth First Nations.
• Adult Sex Offender Program	52,000	The La Ronge Community Operations Region offers this program for clients from the Lac La Ronge First Nation.

Table 3: Community-based Justice Programs for Youth

Program	2002-2003 Total Funding $$	Program Availability
Alternative Measures		
• Restorative Justice Programs	1,260,000	14 programs are operating through partnerships with 5 Tribal Councils, 5 Aboriginal agencies, 4 other community agencies and 3 government offices. Youth alternative measures are offered in Yorkton, North Battleford, Saskatoon, Prince Albert, Fort Qu'Appelle, Regina, La Ronge, Lloydminster, Moose Jaw, Rosetown, Kindersley, Weyburn, Estevan, and Swift Current.
• Fee For Service Providers	22,000	Services are provided in remote rural and northern areas through fee for service arrangements.
Day Programs		
• Day Programs	1,365,000	Day programs are available at the Witchekan Lake, Mosquito, Onion Lake, Lac La Ronge, and Little Pine First Nations. They are also available in Saskatoon, Regina, Lloydminster, Ile-a-la-Crosse, North Battleford, Prince Albert, Meadow Lake, La Loche, Lloydminster, Yorkton and Swift Current.
Cultural Camp Programming		
• Reintegration Programs and Cultural Camp Events	247,000	Reintegration programs operate in North Battleford and Yorkton through the respective Tribal Councils, and in Regina through partnership with Regina Treaty Status Indian Services Inc.

CRIME RATES IN SASKATCHEWAN

While crime occurs in all communities, there are many places in Saskatchewan where the crime rate is very high. These communities, especially some reserves, northern communities and inner-city neighborhoods, have concentrations of people living in circumstances that put them at high-risk to offend and to be victims of crime. Saskatchewan Justice and Saskatchewan Corrections and Public Safety take the view that the high level of crime in Aboriginal communities is directly related to high levels of disadvantage and the unique historical and cultural circumstances that affect Aboriginal peoples. This section of the submission begins by describing the level of crime in Saskatchewan and then explores some of the reasons behind it.

CRIME, VICTIMIZATION AND OFFENDING

Saskatchewan has the highest provincial crime rate in the country. The Saskatchewan crime rate increased by 17% between 1992 and 2001, and the 2001 rate was 74% higher than the national rate.[4] Crime rates are based on complaints of criminal conduct that are substantiated by a police investigation. They do not include all of the crime that actually occurs, since according to surveys, only about half of all crime is reported to the police.[5]

Property crimes accounted for 44% of Saskatchewan's 2001 crime rate, while other *Criminal Code* offences (such as disturbing the peace, mischief, or failure to appear in court) accounted for 43% of the crime rate. While violent crime accounted for only 13% of the crime rate, it is important to note that Saskatchewan's violent crime rate has been steadily increasing over the last two decades. For example, the Saskatchewan violent crime rate increased 8% in 2001, was 47% higher in 2001 than 10 years ago, and almost triple the rate of 20 years ago.[6]

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[4] Canadian Centre for Justice Statistics (CCJS), *Uniform Crime Reporting Survey*, various years.

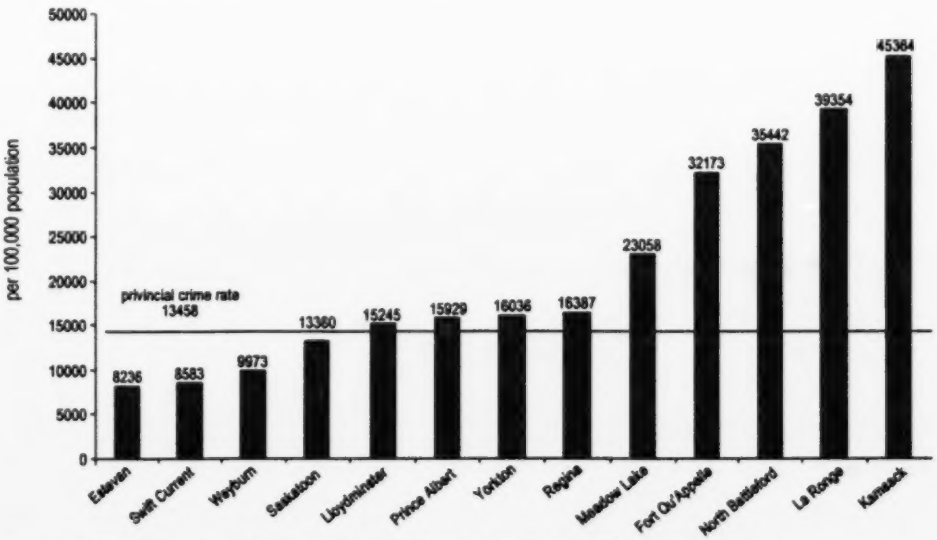
[5] CCJS. (November, 2000). "Criminal Victimization in Canada, 1999". *Juristat* 20 (10), page 11. The 1999 General Social Survey, which is conducted by Statistics Canada, asked a sample of the public about their personal crime experiences. It captured information on crimes reported to the police, as well as those that go unreported. The number of unreported crimes can be substantial. Fox example, the survey estimated that 78% of sexual assaults and 67% of household thefts were not reported to the police. On the other hand, 62% of break and enters, 60% of motor vehicle/parts theft and 46% of robberies were reported, as were 37% of assaults. Based on these findings, we estimate that the public brings roughly half of crime in Saskatchewan to the attention of police each year.

[6] CCJS, *Uniform Crime Reporting Survey*, various years.

A further examination of the violent crime rate indicates that as many as seven in ten violent crimes involve violence towards intimate partners, friends or family members. In cases of spousal violence, 67% of cases involved a history of domestic violence between the victim and perpetrator. Similarly, most sexual assaults occur against those under 18 and often involve family or acquaintances.

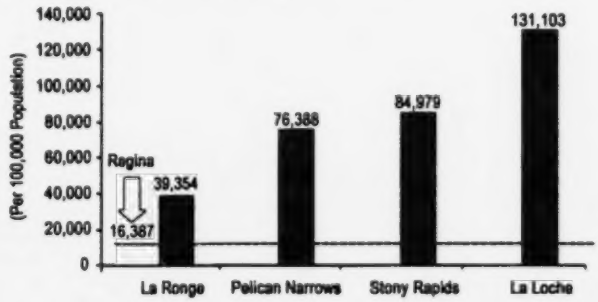
As shown in Chart 2, the crime rates are not consistent across the province. Generally, rates are lowest in the rural, agricultural communities in the south. The major urban cities of Regina, Saskatoon and Prince Albert are in the middle of the graph. The rates tend to be higher in the north, as illustrated on Chart 3, and on reserves. In 1997, the latest year for which we have detailed data focusing on Saskatchewan, the on-reserve crime rate was double the rate in rural and urban areas of the province. The rate for violent incidents was five times higher.

Chart 2: *Criminal Code* Crime Rates, Selected Saskatchewan Communities 2001



Source: CCJS, *Uniform Crime Reporting Survey*, 2001. Excludes *Criminal Code* traffic incidents.

Chart 3: Northern Crime Rates 2001



Despite the high crime rates, data on victimization patterns from the General Social Survey conducted by Statistics Canada suggests that most Saskatchewan residents are about as safe as residents in other provinces. However, this is not true for all groups or communities. Saskatchewan's poorest communities experience the most crime.[7]

Crime and victimization is a particularly serious issue in many Aboriginal communities. For instance, Aboriginal peoples accounted for only 10% of the population in Regina and Prince Albert combined but were 47% of the victims of violent crime.[8] Furthermore, between 1994 and 2000, Aboriginal peoples accounted for 55% of Saskatchewan homicide victims as well as 60% of those accused of committing homicide.[9]

There are a large number of Aboriginal peoples in the correctional system. Data from the Adult Corrections Division indicates that 77% of those admitted to Saskatchewan correctional centres in 2001-2002 were of Aboriginal descent. Furthermore, 55% of people under federal correctional supervision in Saskatchewan in 2001 were Aboriginal. In all, about 1 in 7 Saskatchewan Aboriginal men and 1 in 50 Aboriginal women were under the supervision of provincial or federal correctional authorities on any given day in 2000-2001. This is 23 times the per capita rate of non-Aboriginal men and 34 times the per capita rate among non-Aboriginal women.[10] Moreover, while accounting for 15% of those aged 12 to 17, Aboriginal people accounted for 75% of youth in open and closed custody in Saskatchewan in 2000-2001.[11]

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7 CCJS. (November, 2000). "Criminal Victimization in Canada, 1999". *Juristat* 20 (10).

8 CCJS. (2000). *Police-Reported Aboriginal Crime in Saskatchewan*. Ottawa: Statistics Canada.

9 CCJS, *Homicide Survey*, various years.

10 This figure is calculated from the CCJS adult corrections database using 2000-2001 data, as well as information provided by the Saskatchewan Corrections and Public Safety and the Correctional Service of Canada, Prairie Region, for August, 2001. The population of Aboriginal people is based on the 1996 Census. In 2001, the Saskatchewan Aboriginal population 18 years and older is estimated at 60,800 and the provincial non-Aboriginal population 18 and older is estimated at 662,865.

11 CCJS. (October, 2002). *Youth Custody and Community Services in Canada, 2000/01. Juristat* 22 (8).

SOCIAL AND HISTORICAL FACTORS THAT INFLUENCE OFFENDING

Crime is a complex matter. It is impossible to say that any one factor "causes" crime. However, there is a substantial body of research about the factors related to crime and the characteristics of Aboriginal offenders.

Research indicates that there are many reasons why people commit crimes and come into contact with the criminal justice system. Research also indicates that Aboriginal peoples have a higher rate of offending than non-Aboriginal peoples in terms of the types of crimes that are likely to come to the attention of the criminal justice system and result in a sentence of imprisonment.[12] These crimes primarily include violent offences and administration of justice offences. Aboriginal offenders are also more likely to have been previously involved with the justice system, which increases the likelihood of receiving a prison sentence.[13]

It is generally accepted that broader social factors also influence criminal behavior. Criminal behavior is associated with risk factors such as poverty, lack of education, unemployment, substance abuse, criminal attitudes and relationships with others who are involved in criminal activity. Risk factors exist at the societal, community, family and individual levels. Most of the people who are incarcerated in youth and adult custody facilities have clusters of these risk factors. Aboriginal offenders tend to have the highest level of risks and needs and tend to be lower on all the social and economic indicators, such as level of education and employment history.

LaPrairie's 1995 study of Aboriginal peoples living in the core areas of Winnipeg, Regina, Saskatoon and Edmonton indicated that three-quarters of all persons interviewed had suffered childhood abuse. Furthermore, many inner-city Aboriginal peoples in these centres have unstable home and family lives, tend to move around a lot, and have problems with alcohol abuse. They also tend to have little formal education, to be unemployed and to have few meaningful social connections. In a recent article, LaPrairie (2001) indicates that the Aboriginal population is also generally disadvantaged in terms of income, level of education, the proportion of the adult population that is in the labour force, mobility and the percentage of lone parents.

Since there are large variations in the socioeconomic situations of Aboriginal peoples, not all Aboriginal peoples are at equal risk of offending. Aboriginal peoples who live in urban inner-city areas and the poorest communities and First Nations reserves are the most likely to be involved in the criminal justice system. For example, data in LaPrairie's 2001 article indicates that Saskatoon and Regina are among the cities with the greatest social gaps between Aboriginal and non-Aboriginal populations. With this in mind, it is perhaps less surprising that in 2001, Regina had the highest crime rate and Saskatoon had the second highest crime rate among 25 Canadian census metropolitan areas.

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[12] This is an important distinction as crime rates are based on incidents reported to the police. Some types of crime, such as assaults, are much more likely to be noticed and reported than other types, such as fraud.

[13] A CCJS study found that repeat offenders were three times more likely to be sentenced to custody than first-time offenders. CCJS. (October, 2002). "Pilot Analysis of Recidivism Among Convicted Youth and Young Adults, 1999/00". *Juristat* 22 (9), page 9.

In addition to these social and economic gaps, Aboriginal peoples have experienced some unique historical processes. Policies and institutions, such as residential schools and attempts to discourage the use of Aboriginal languages, sought to assimilate Aboriginal peoples and break down traditional Aboriginal cultures, but did not integrate Aboriginal peoples into the dominant Canadian-European culture and economy. Many Aboriginal peoples have experienced racism and laws or policies that had negative impacts. For example, at one time there were federal laws that suppressed the legal rights of First Nations peoples to assemble for political purposes or hire a lawyer to argue cases against the Crown. There were also laws passed against the practice of spiritual beliefs such as the sun dance. Since the criminal justice system was used to enforce these and other laws and policies, many Aboriginal peoples feel alienated from the criminal justice system. This may be a factor in offending because a justice system only works if citizens accept that it is a legitimate response to crime. For this reason, it is vital that the justice system respect the values of Aboriginal peoples and that Aboriginal peoples have the opportunity to design and deliver justice services that meet the needs of their communities.

It is doubly important to deal with these pressing issues because the Aboriginal population of the province is growing rapidly. Aboriginal peoples account for 11% of the provincial population overall, but 21% of the people aged 12 and under, 15% of people aged 12 to 17, and 8% of people over 18.[14] Thus, there is a growing number of Aboriginal peoples in the age group that is likely to have children of their own in the future. There will also be a large and growing number of Aboriginal people entering the age group of 15-24, the age group that is most at risk of committing crimes and being victimized. As a result, the crime rate may be higher in the future unless reforms occur now.

On a more positive note, as the Aboriginal population is young and growing faster than the non-Aboriginal population, Aboriginal peoples will account for a growing percentage of the workforce in the near future.[15] As shown in Table 4, there are some signs that the social well-being of Saskatchewan Aboriginal peoples is improving in terms of employment and education. Continuing improvements might counteract the possibility that crime rates will increase.

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[14] Statistics Canada. (1996). *Census of Population*. Ottawa: Statistics Canada.

[15] The number of Registered Indian people in the 15-24 year old age group could increase by 37% between 1998 and 2008. (Department of Indian Affairs and Northern Development. December, 2002. *Population Projections of Registered Indians, 1998-2008*. Ottawa: Department of Indian Affairs and Northern Development). As a result, Aboriginal people will account for a growing proportion of the province's population. It is estimated that 14% of the provincial population may be of Aboriginal descent by 2016, which is an increase from 9% in 1991 and approximately 11% now.

Table 4: Improvements in the Social Wellbeing of Saskatchewan Aboriginal Peoples

There have been some improvements in the social wellbeing of Saskatchewan Aboriginal peoples between 1986 and 1996.

Firstly, there has been a marked increase in education levels. The proportion of the Aboriginal population 15 years of age and older with less than grade 9 fell from 37.3% in 1986 to 23.1% in 1996. At the same time, the proportion with some university studies almost doubled from 7.3% to 14%, while the proportion with a university degree increased from 1.9% to 3.9%.

There have also been slight improvements in the employment and unemployment rates of Aboriginal people aged 15 and over. The Aboriginal employment rate rose from 35.1% in 1986 to 37.7% in 1996, while the unemployment rate declined from 29.4% in 1986 to 26% in 1996.

Information compiled for the Métis and Off-Reserve First Nations Strategy points to several other noteworthy trends. For example:

- Aboriginal enrolments at post-secondary institutions are stable or rising. As of 2000, about 10% of students at the University of Regina and 12% of students at the University of Saskatchewan were Aboriginal. These rates were unchanged from 1997. However, 18% of students enrolled at SIAST were Aboriginal, compared to 11% in 1997. Further, 21% of students enrolled in work-based training programs in 2000 were Aboriginal, up from 17% in 1997.

- The Registered Indian infant mortality rate is falling. The Registered Indian infant mortality rate decreased from 17.4 infant deaths per 1,000 live births in 1996 to 6.9 in 2000, although the infant mortality rate has fluctuated dramatically over those years from 17.4 in 1996 to 19.3 in 1997, 8.5 in 1998, 7.8 in 1999 and 6.9 in 2000. The overall infant mortality rate for the province has also decreased; the 1999 Saskatchewan infant mortality rate, at 5.6 deaths per 1,000 live births, was almost half the rate two decades earlier (10.3).

For additional information see Saskatchewan Women's Secretariat, *Profile of Aboriginal Women in Saskatchewan* (November 1999); Canadian Centre for Justice Statistics, *Profile of Aboriginal Peoples in Canada* (June 2001); and Michael Tjepkema, "The Health of the Off-reserve Aboriginal Population," *Supplement to Health Reports*, Volume 13 (2002).

STRATEGIC APPROACHES

This section of the submission discusses the four strategic approaches Saskatchewan Justice and Saskatchewan Corrections and Public Safety use to address the problems of offending and victimization in Aboriginal communities. These strategies are:

- building community ownership and capacity to address the factors associated with offending and victimization;
- developing partnerships;
- adapting the criminal justice system so that it recognizes and is respectful of the values of Aboriginal people and meets their needs for safety and security; and
- improving the effectiveness of services to victims, offenders and communities.

BUILDING COMMUNITY OWNERSHIP AND CAPACITY

A community-owned approach and building community capacity to address the factors associated with crime go hand-in-hand and are the heart of an effective crime prevention/crime reduction strategy. The role of government in this process is to help communities build knowledge, skills and resources to meet their goals in ways that protect community safety and respect individual rights.

Community ownership

Without community ownership and involvement, justice system responses are limited to traditional approaches such as law enforcement and providing specific programs such as Legal Aid and victims services. On the other hand, a community-owned approach involves justice system partners and community members working together to identify an issue, determine what resources are available to address the issue and what other resources might be needed, craft solutions, develop programs and deliver services. In a community-owned approach, communities take an active role in shaping justice policies.

Community ownership depends on two factors - willingness and capacity. Since these elements are different in each community, it is recognized that communities will have different levels of ownership. For example, when the FSIN engaged in community consultations on their strategic plan for corrections, they took an approach that allowed the communities to identify their level of willingness and capacity to address correctional issues. This enabled each community to define their priorities and recognized that one solution will not work for all.

It is also recognized that a community-owned approach is a gradual process as communities gain the experience to take on more challenging issues and projects. Some communities are struggling with serious issues such as alcohol and drug abuse, and it is likely that these communities will need ongoing services from the justice system and other government departments for some time. Other communities may want to "start small" and gain experience with a pilot project before delivering services on a broader scale. Still others have already developed experience in managing community-based projects and may want to expand the services they deliver and begin working to address other issues. It will be up to each community to determine what issues to address and what solutions will work best.

Community capacity building

Building community capacity is a long-term, dynamic process that deals with the social and economic factors related to crime in order to gradually reduce the level of offending and victimization. We define community capacity building as the processes that build sustainable knowledge, skills, resources and commitments to develop and manage programs and services that effectively address criminal behavior, victimization and risk factors associated with criminal behavior. Table 5 provides more detail about this definition of community capacity building.

Rather than focusing on what a community does not have, successful community capacity building should build on the existing strengths of community members and organizations. All communities have members with valuable skills, knowledge, experience, and a commitment to change. Part of the challenge in building community capacity is identifying and supporting these individuals.

Table 5: The Components of Community Capacity Building

Knowledge: The understanding of a certain subject.

Skills: Community capacity building requires general skills such as problem solving, planning, resolving conflict, and showing leadership. Specific skills include writing reports and using computers, as well as technical work skills, such as the ability to conduct mediations.

Resources: Resources include money, property, abilities and skills.

Commitments: For government departments, a commitment to capacity building includes giving up some control and responsibility for community issues. It also means supporting the goals and solutions developed by the community and supplying the resources to deal with an issue. For community, it means accepting that the community shares some of the responsibility for dealing with the problem.

The importance of community capacity building

Building community capacity to address the root causes of crime is important. It provides a way for community members, organizations, and leaders such as Elders to take an active role in addressing underlying social conditions linked to criminal activity. It can also help individuals better understand what is acceptable behaviour in their community and to feel that they have a valued role within it. According to Braithwaite (1989), low-crime societies are those where people feel mutual obligations and trust, have strong networks of personal connections with families, friends and others, and feel they are responsible for telling people when their behaviour is not appropriate while accepting them back into the community. It is important that victims feel supported by their communities so they will not fall into a cycle of despair and self-destructive behaviours, and it is important for offenders to become reintegrated with their communities and receive support to help prevent future offending.

Building community capacity to address local issues and to develop and deliver services can also be an important step for First Nations and Métis groups toward self-government and self-determination. Building community capacity involves Aboriginal communities, organizations and governments in determining their own priorities, developing their own solutions, and implementing and evaluating their own programs and services in ways that reflect the cultures and traditions of the communities.

The Solicitor General of Canada recently released a report about the Aboriginal Healing Movement in Canada that supports the concepts of community ownership and building community capacity. The report suggests that the issues of drug abuse and alcoholism in many Aboriginal communities reveals the need to heal from the effects of residential schools, racism and other long-term issues. The report supports the need for communities to accept responsibility for dealing with their issues and to involve community members and agencies rather than relying on external experts. It also indicates that healing requires changing the social, economic and environmental conditions in which people live and "moving beyond hurt, pain, disease and dysfunction to establish new patterns of living that produce sustainable well-being".[16] Long-term improvements in social, economic and political life for individuals, families and communities can only occur if there are opportunities for "better housing, greater levels of economic security and prosperity... [and] a significant increase in the capability (i.e. power and capacity) of the person to participate in planning and creating the future".[17]

[16] Aboriginal Corrections Policy Unit. (2002). *Mapping the Healing Journey*. Ottawa: Solicitor General of Canada. Page 12.
[17] Ibid, p. 57.

The departments support many initiatives that build community capacity. For example, Saskatchewan Justice supports training initiatives that provide the skills needed by staff in community-based justice agencies. The Department also supports a number of community-based initiatives that involve staff, volunteers, other human service providers and community leaders in identifying and addressing local issues. For example, the La Loche Community Development Corporation (LLCDC) provides an integrated range of community development and community-based services that are offered to the village of La Loche, the Clearwater Dene Nation, Descharme Lake and Garson Lake. The LLCDC coordinates and administers a number of justice services in the area, including community justice, victim services, fine option, youth intervention, crime prevention and family violence prevention programs as well as a Saskatchewan Aboriginal Courtworker Program and Court Translator/Interpreter Services. The development of the LLCDC at the community level allows these programs to work in a team atmosphere that can approach client needs comprehensively.

Another example of an initiative that fosters community ownership and develops community capacity is the Regina Alternative Measures Program (RAMP). RAMP grew from a community process involving several Aboriginal organizations. This process resulted in the creation of an agency that promotes crime prevention and addresses issues such as prostitution in addition to resolving alternative measures cases.

DEVELOPING PARTNERSHIPS

Saskatchewan Justice and Saskatchewan Corrections and Public Safety believe that successful programs and services involve integrated approaches and partnerships whenever possible. Experience over the past ten years suggests that successful initiatives involve all of the affected parties and take time and effort to build. Our experience also suggests there will be difficulties, and perhaps even some failures, as new ideas are tried. The elements of successful partnerships are more fully described in Table 6.

Over the past several years, the departments have built successful partnerships and positive working relationships with Aboriginal governments and organizations, agencies in the criminal justice system, other departments and community-based organizations throughout the province. Saskatchewan Justice has, since 1994, provided funding to the FSIN and MNS for initiatives that involve policy, planning and community justice work, such as the Community-based Training Initiative developed in partnership with FSIN, the RCMP and the Department. This funding has usually been matched by Justice Canada, while the Solicitor General of Canada and Correctional Service of Canada has often matched funding for community corrections planning.

The Department has also supported justice initiatives developed by the Saskatchewan Association of Northern Communities, Inc. (SANC) and many First Nations and Tribal Councils across the province. While there is much more to be done to include Aboriginal peoples in the development of justice system policies, Aboriginal governments are increasingly involved in service and program delivery. The involvement of Aboriginal governments and organizations in delivering programs and services is discussed in more detail in the next section.

Table 6: Characteristics of Successful Partnerships

An example of a successful partnership is the training initiative for community police boards in northern Saskatchewan that involves SANC, the RCMP and Saskatchewan Justice. In our experience, partnerships are successful if they have the following characteristics.

1. **All of the relevant stakeholders are meaningfully involved.** The northern communities provide space to hold training sessions and community members volunteer on the police boards. SANC organizes the training sessions, the RCMP provides transportation, and Saskatchewan Justice wrote the training manual.

2. **The stakeholders work to develop a common understanding about the purpose and goals of the initiative.** In this case, the partners agreed that they wanted to involve community members in policing, improve relationships between the RCMP and the communities, and help establish and support the police boards.

3. **The initiative has clear, measurable objectives.** For example, the partners agreed to develop the Framework Agreement for Community Policing Initiatives, write a training manual, and hold a number of training sessions every year.

4. **Ways of evaluating the initiative are considered right from the beginning, and feedback or evaluation results are used to improve the initiative.** Participants in the first year were asked to fill out a questionnaire about the training sessions and the manual. This feedback helped to revise the training manual and sessions.

Partnerships with the police, the judiciary, Crown prosecutors and other agencies in the criminal justice system are important in addressing offending and victimization. The Regina Auto Theft Strategy is an example of a successful partnership between the Regina Police Service and the Departments of Justice, Corrections and Public Safety, and Social Services. The strategy focuses on identifying youth who have a pattern of car theft offences. When released from custody, strict conditions are placed on the youth to enable youth workers and police to monitor them and provide programs that address their risks and needs. An evaluation of the Regina Auto Theft Strategy has recently reported that the strategy has been effective in using innovative approaches and techniques to deal with the problem of young offender car theft. Since the Strategy was implemented in February 2002, there has been a 43% reduction in the number of completed or attempted car thefts. In other words, there are more than 1,450 fewer stolen vehicles in Regina as a result of the Strategy.

Other partnership examples include Corrections and Public Safety working with the Cree Lodge Reintegration Program (delivered through the File Hills Qu'Appelle Tribal Council) and the Child, Youth and Family At Risk program at the Regina Friendship Centre. These community agencies participate in community supervision plans and provide services to youth that address their risks and needs.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are also involved in initiatives that promote partnerships and integrated approaches to human service delivery. For example, both departments participate in the Human Services Integration Forum, which involves several provincial departments in discussions about how to develop integrated approaches between provincial departments and communities. Regional Intersectoral Committees, funded through the Forum, involve a range of government and community-based organizations in developing processes through the provincial Child Action Plan and School^{PLUS}. The departments also participate in the Métis and Off-Reserve Strategy Committee. The Métis and Off-Reserve Strategy is comprehensive, cooperative and based on partnerships. Thirteen departments integrate work toward a common vision, goals and objectives that address education, skills training and work preparation, representative participation in the economy, and individual and community well-being. The Strategy recognizes that integrated work is necessary to achieve progress in these areas.

In terms of partnerships with other government departments and stakeholders, there is a need to continue developing integrated strategies that will involve all of the organizations in responding to crime. Focusing solely on changes within the justice system is unlikely to have a significant impact on the number of Aboriginal peoples who are victims or offenders because crime is related to social and economic factors. Moreover, the criminal justice system will continue to be the default way of dealing with serious social issues unless departments work together and target their resources rather than developing programs independently. As Saskatchewan Justice and Saskatchewan Corrections and Public Safety are mandated to deal with justice matters, there is a role for the Departments to play in coordinating these strategies.

ADAPTING THE CRIMINAL JUSTICE SYSTEM

For the justice system to work effectively, people must trust it and feel it protects them. Subsequently, it is vital that all people are treated fairly within the system and that they see it as responding to their needs for safety and security. For a variety of reasons - both historical and current - many Aboriginal people do not trust the justice system.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety believe this mistrust can be addressed in a variety of ways. For instance, by:

- establishing positive relationships between justice officials and Aboriginal peoples;
- reducing institutional barriers that affect Aboriginal peoples;
- dealing appropriately with complaints;
- increasing the number of Aboriginal employees in the justice system;
- increasing the number of services delivered by Aboriginal organizations; and
- ensuring that the justice system respects the values and traditions of Aboriginal peoples.

Establishing positive relationships

Saskatchewan Justice and Saskatchewan Corrections and Public Safety have a role to play in fostering positive relationships between justice system agencies, justice officials and Aboriginal communities. The attitude of justice officials plays an important role in the relationship between the system and Aboriginal peoples. Obviously, community members have less trust in the system when a justice official acts in a culturally insensitive or racist way. On the other hand, trust can grow if an official gets to know the people in the community and comes to understand the community's culture. To promote the building of positive relationships, the departments continue to provide cultural awareness and sensitivity training to staff.

Reducing institutionalized barriers

Institutionalized barriers are policies, practices, procedures or attitudes that make it more difficult for certain people or groups of people to access services or to participate in decisions or processes that affect them. These barriers may occur because of language, lack of capacity within a system, geography, culture, or many other factors.

For example, if the police arrest an Aboriginal person who does not speak English as a first language, that person will be at a disadvantage in dealing with the arresting officer and his or her Legal Aid lawyers, and could have difficulty participating effectively during the court process. The person may not be able to express their version of events or understand what witnesses and lawyers are saying. If found guilty, the person may not understand the judge's verdict, the implications of the verdict or the conditions of the sentence, which might lead to more charges if they breach the conditions.

The capacity of the justice system to handle matters promptly can also be an institutional barrier. For example, Crown prosecutors, Legal Aid lawyers, the judiciary and court staff

fly into remote areas of the province to hear cases. Since the court is only in the community for a short period of time, accused persons may not have much time to speak to Legal Aid lawyers and Crown prosecutors may not have much time to interview witnesses or speak to victims. These problems are especially serious in some northern communities where the population is mostly Aboriginal.

The capacity of human service providers outside the justice system can also be an institutional barrier, since individuals are often ordered to attend programs providing services for addictions, family violence or other issues. Often there are lengthy waiting lists for these services, and individuals may commit other crimes while waiting to access the services they need. This in turn leads to more charges and more serious interventions by the criminal justice system.

Geography is another possible barrier to Aboriginal people within the justice system. For example, due to the limited space in northern correctional facilities, northerners on remand are often moved to the Prince Albert Correctional Centre while they wait for the trial to occur. When this happens, the accused person may be cut off from their family and community for a lengthy period of time.

Lack of understanding about cultural practices and beliefs can also act as an institutional barrier. For example, some non-Aboriginal people are not aware of the important role Elders have in the Aboriginal community. As a result, Elders working in justice programs may not always be treated with the same respect or professionalism as clergymen or human service workers.

Institutionalized barriers such as these increase alienation between Aboriginal peoples and the justice system. Further barriers are created when communities and community organizations are not involved in developing policies and making decisions about what services to deliver. Communities may feel that government is simply imposing more policies and services on them.

Saskatchewan Justice is currently going through a process to examine internal polices, procedures and attitudes to determine what institutionalized barriers may be affecting how Aboriginal peoples are treated in the justice system.

Dealing Appropriately with Complaints

Dealing appropriately with complaints is important to ensure that the justice system treats citizens fairly, respects their values, and meets their needs for safety and security. Those working in the justice system must be held to a high standard of conduct in dealing fairly, professionally and courteously with all citizens, regardless of their ethnicity or cultural background. There have been incidents of racism by officials in the justice system and there have also been times when justice officials have encountered harassment from clients or members of the public. However, in working to create broader understanding, it must be stated that racist or abusive behaviour is never acceptable and is particularly inappropriate from officials in the justice system.

If an individual feels they have been treated inappropriately or unprofessionally, or if they have a complaint about a service, program or

decision involving the departments or departmental staff, they are encouraged to bring their concerns to the departments' attention. The departments will investigate the complaint and take appropriate action. If the complaint involves police or the judiciary, there are special procedures for resolving the complaint. There is also a special procedure for holding coroners' inquests to investigate the deaths of people in police or corrections custody.

Complaints involving Crown prosecutors

Individuals who have complaints involving Crown prosecutors are encouraged to try to resolve them at the local level by speaking directly to the prosecutor involved. Sometimes complaints arise from misunderstandings of the legal process, so they can be resolved by simply talking to the prosecutor. However, if this does not resolve the matter or if the person making the complaint has trouble contacting the prosecutor, they are encouraged to speak with the Regional Crown Prosecutor. This official, who is in the same office and has access to the files of the prosecutor in question, is in the best position to investigate the complaint quickly. If the matter is still unresolved after a discussion with the Regional Crown Prosecutor, the individual is encouraged to contact the head office of Public Prosecutions Division in Regina. All of the lawyers in that office are senior prosecutors who can investigate complaints and direct how the matter can be resolved.

Complaints involving Legal Aid

A person who has a complaint about legal aid services can make a complaint by contacting the Chief Executive Officer (CEO) of the Saskatchewan Legal Aid Commission. Often, complaints occur because a person is told that they are not eligible to receive legal aid, or that they will have to pay a portion of the cost of the legal aid services. *The Legal Aid Act* states that the person making the complaint can appeal the decision to the CEO within 20 days after the date of the decision. The CEO's decision is final unless the matter involves the applicant's or client's financial eligibility to receive legal aid services for civil law matters, or to pay a portion of the costs for civil legal services that are provided. In this case, the person may appeal the decision to the Civil Appeal Committee. The Civil Appeal Committee may decide to agree with the decision of the CEO, change the CEO's decision or substitute its own decision. The Civil Appeal Committee has the authority to make the final decision about the matter.

If a person makes a complaint on behalf of someone else regarding an applicant's eligibility for legal aid, the Legal Aid Commission will investigate the matter, but can not give the complainant the results of the investigation because the client's information is confidential. However, if a person is making a complaint about his or her own file, they will be advised of the CEO's decision by telephone or in writing.

Complaints involving correctional facilities

Complaints about treatment in the adult and youth correctional systems may be dealt with in a number of ways. Typically, complaints are first raised with staff, supervisors and managers. The procedure for appealing these decisions is outlined in corrections policy.

Complaints regarding adult corrections may also be made to the provincial Ombudsman, while complaints regarding youth corrections may be made to the Children's Advocate. The Ombudsman and Children's Advocate are Officers of the Legislative Assembly of Saskatchewan and have the authority to investigate complaints received from members of the public who believe the government has dealt with them unfairly. The Children's Advocate has the authority to promote the interests of and act as a voice for children when there are concerns about provincial government services. Both the Ombudsman and the Advocate make recommendations to the Saskatchewan Corrections and Public Safety about specific cases as well as system-wide issues.

The Ombudsman recently released a two-year study on issues in Adult Corrections, titled *Locked Out: Inmate Services and Conditions of Custody in Saskatchewan Correctional Centres*. The report makes about 190 recommendations and suggestions for improvement. Saskatchewan Corrections and Public Safety worked with the Ombudsman's Office during the course of the review and a number of recommendations have already been implemented. The Department is currently developing a detailed action plan to respond to the report.

The Children's Advocate has made recommendations from time to time about the Young Offenders Program. The Department is working with the Children's Advocate to address these recommendations. The Advocate also reviews the death of any child who has had young offender involvement in the twelve month period before the death occurred.

Complaints involving the police

Like all other justice officials, police are expected to respect the law and to meet a high standard of fair, courteous and professional conduct. If someone feels they have not been treated in this way, there are a number of mechanisms in place to ensure that allegations against police officers are investigated thoroughly and dealt with fairly.

Police complaints in Saskatchewan are dealt with in two separate ways, depending on whether the complaint involves a police officer in the RCMP or in a municipal police service.

Complaints against members of the RCMP are reviewed by the Commission for Public Complaints Against the RCMP. The Commission is an independent body that is not part of the RCMP. The Commission does not act as an advocate for either the complainant or the RCMP. It is not a disciplinary body, so it cannot discipline RCMP members or award compensation to complainants. The Commission makes findings and recommendations to the RCMP Commissioner, who must indicate what actions the RCMP have taken or will take to address the matter. If the RCMP Commissioner decides to take no action on a finding or recommendation, he must explain this decision to the Chairman of the Public Complaints Commission and to the Solicitor General of Canada.

All complaints against a municipal police officer are reviewed by the Office of the Saskatchewan Police Complaints Investigator under *The Police Act, 1990*. The Complaints Investigator or the applicable police service office investigates the matter. If the complaint involves actions contrary to the conduct expected of a police officer under the regulations of *The Police Act, 1990*, the officer may be charged with a breach of discipline. In such cases, the Saskatchewan Police Commission appoints an independent lawyer called a "Hearing Officer" to hear the matter and make a finding of guilty or not guilty.

If the police officer or the Chief of a municipal police service wishes to appeal the decision of a Hearing Officer, the matter is referred to the Saskatchewan Police Commission for review. The Commission is an independent tribunal that acts as the final appeal or review body.

If the complaint alleges that the police officer may have committed a criminal offence, the matter is investigated by the applicable police service or the RCMP. These complaints are always referred to a senior Crown prosecutor who determines whether a criminal charge is appropriate.

Following concerns about possible police misconduct about the deaths of Aboriginal men in Saskatoon in February 2000, the FSIN established a Special Investigations Unit to look into these and other complaints. The Unit has been a useful means of bringing forward concerns from the community. Saskatchewan Justice has provided funding for the Unit since 2001.

Complaints involving the Judiciary

There are two councils that are responsible for dealing with complaints and allegations of judicial misconduct. Complaints regarding Provincial Court judges are dealt with by the Saskatchewan Judicial Council, while complaints regarding superior court judges (judges in the Court of Queen's Bench and the Saskatchewan Court of Appeal) are dealt with by the Canadian Judicial Council.

The councils make an independent assessment about the judge's conduct; they do not consider whether the judge's finding or ruling is wrong. The distinction between judicial decisions and judicial conduct is fundamental because judges' decisions can be appealed to a higher court.

If a council finds that the judge's conduct was improper or inappropriate, a variety of measures can be taken. These actions range from a warning or reprimand to suspension or removal from their position.

Coroners Inquests

While coroners inquests are not a complaints process, they ensure there is public scrutiny of deaths in custody. Inquests examine the circumstances surrounding the death of an individual, such as where and when a person died as well as the medical cause and manner of death. *The Coroners Act* requires an inquest to be held into the death of any person who dies while an inmate in a jail, penitentiary, lock-up or correctional facility. Inquests are called by the Chief Coroner of Saskatchewan and are conducted by coroners, some of whom are senior lawyers. Inquests also involve community members on a jury panel that may make recommendations about ways of preventing similar deaths in the future.

The Coroners Act also provides that the Minister of Justice and Attorney General may direct the Chief Coroner of Saskatchewan, or any other coroner, to hold an inquest into the death of a person.

Increasing the number of Aboriginal employees in the justice system

As of September 2002, 11.4% of employees in the Departments of Justice and Corrections and Public Safety were self-declared as being of Aboriginal ancestry. Although this proportion is similar to the proportion of Aboriginal people in the provincial population, the departments will work to recruit more Aboriginal employees - particularly at the supervisory, managerial, professional and executive levels.

The number of Aboriginal judges, Crown prosecutors and Legal Aid lawyers is low, and more is being done to recruit Aboriginal peoples in these occupations. On a more positive note, police services are making good progress. The RCMP Training Depot has graduated three Aboriginal troops over the past three years and all of those graduates were posted to Saskatchewan. Table 7 provides the number of self-identifying Aboriginal police members in each police service as a percentage of the total number of members.

Increasing the number of services delivered by Aboriginal organizations

Saskatchewan Justice and Saskatchewan Corrections and Public Safety aim to have justice services delivered by Aboriginal organizations and governments whenever possible. This is consistent with an approach based on community ownership and building the capacity of communities to develop and implement their own solutions. Justice services delivered by Aboriginal organizations and governments can provide assistance to victims and offenders in ways that are culturally appropriate. Tribal councils, friendship centres and other Aboriginal organizations are involved in delivering youth and adult alternative measures and community justice services. Staff may be more likely to know the victim and offender as individuals, and services in the community that can help to address their needs.

Table 7: Percentage of Aboriginal Police Officers in Selected Saskatchewan Police Services as of November 2002

	Number of Aboriginal Police Officers	Total Number of Officers in the Police Service	Percentage of Aboriginal Police Officers
Regina Police Service	30	337	8.9
Saskatoon Police Service	30[18]	378	7.9
Prince Albert Police Service	17	71	23.9
RCMP	155	998	15.5

Source: Police Services

[18] The number of Aboriginal police officers in the Saskatoon Police Service includes two Special Constables.

Saskatchewan Justice currently holds approximately 80 contracts with 60 First Nations, Tribal Councils and Aboriginal organizations for delivering community-based justice services. These services include Aboriginal family violence programs, crime prevention programs, community justice programs, alternative measures programs, First Nations policing programs and policy development initiatives. Saskatchewan Corrections and Public Safety has approximately 92 contracts with Aboriginal governments, organizations and individuals. Most of the employees in the adult and youth programs operated by Aboriginal organizations are of Aboriginal descent. For example, 129 of the 172 positions involved in community justice and alternative measures programs, the Saskatchewan Aboriginal Courtworker Program, and field staff in victims services programs[19] are staffed by Aboriginal people.

Saskatchewan Corrections and Public Safety is interested in developing more early release agreements with First Nations communities. In these agreements, representatives from the community play a role in developing an integrated case management plan for the offender and supervising the offender during early release. Early release agreements are currently in place in Mistawasis, Sturgeon Lake, English River, Waterhen Lake, Lac la Ronge, Montreal Lake, Flying Lake and Black Lake First Nations.

There are many other services that could be delivered by Aboriginal governments and organizations. For example, the FSIN and some Tribal Councils are interested in developing First Nations Police Services. The File Hills Police Service is currently in a three-year process of gradually moving from RCMP policing to a self-administered policing service. Saskatchewan Justice is supporting File Hills in this initiative and is willing to work with other First Nations governments in developing self-administered police services. However, both departments are interested in hearing new ideas, learning what is working in other places, and working with Aboriginal organizations to implement initiatives that will address the needs of Saskatchewan communities.

[19] This includes coordinators and assistant coordinators in police-affiliated victims services programs, Aboriginal Resource Officers, victim/witness coordinators and Aboriginal family violence programs.

Ensuring that the justice system respects the cultural practices and traditions of Aboriginal peoples

The cultures of Aboriginal peoples form a vital part of our national and provincial heritage. While justice system officials must understand the cultural practices of many peoples, it is particularly important that they understand and respect the traditions of Aboriginal peoples, who account for a large and growing proportion of the provincial population.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are working on a number of initiatives to help integrate the practices of Aboriginal people into the justice system. In addition to developing the Traditional Elders Advisory Committee, Saskatchewan Justice administers the Saskatchewan Aboriginal Courtworker Program and the Northern Cree Circuit Court. Saskatchewan Corrections and Public Safety supports the Prince Albert Grand Council Healing Lodge and the Paul Dojack Youth Centre Oshihtawin Program, as well as programs that provide Aboriginal inmates with the opportunity to work with Elders and attend cultural and spiritual ceremonies.

Developing the Traditional Elders Advisory Committee

To help build a better understanding of the values and needs of Aboriginal communities, Saskatchewan Justice and Saskatchewan Corrections and Public Safety are developing a Traditional Elders Advisory Committee. The committee, which will include Elders from the various linguistic groups in the province, will work with the departments to improve the relationship between the departments and the traditional Aboriginal community. The Committee will also provide advice to ensure that policies and community-based services are appropriate in terms of the culture, language and history of the community.

The Saskatchewan Aboriginal Courtworker Program

The Saskatchewan Aboriginal Courtworker Program attempts to ensure that people accused of a crime understand the way the criminal justice system works. The initiative, which is cost-shared by the federal and provincial government, is delivered by Aboriginal organizations. Although the program focuses on Aboriginal people, all people can request the services of a Courtworker. The purpose of the Saskatchewan Aboriginal Courtworker Program is to ensure that Aboriginal youth and adults appearing before the criminal courts receive fair, just, and culturally sensitive treatment. Courtworkers provide a range of information, liaison, referral and counseling services to people in conflict with the law. Services are available in 76% of court points in Saskatchewan. These court points are areas where there are a high number of Aboriginal people charged with a criminal offence. Last year, over 12,000 people received courtworker services.

The program has a history of good co-operation with the FSIN and the MNS. Together with officials from Saskatchewan Justice, representatives from these organizations form the Program Advisory Board.

Provincial Court Initiatives

The judiciary, particularly in the Provincial Court, has supported a number of initiatives that attempt to make the courts more responsive to the needs of Aboriginal peoples. For example, court is now held on-reserve in a number of locations throughout the province and a protocol has been developed to help determine the appropriateness of establishing court on-reserve. The construction of a "circle court" in the new Saskatoon Provincial Court is another example. The circle court is used as a therapeutic court for victims and families of youth involved in crime. It provides a more informal and relaxed environment in which to examine the youth's family life, educational status, and other factors and consider how the community and human service agencies can support the youth.

The Northern Cree Circuit Court is a major initiative that attempts to make the justice system more responsive to the values of Aboriginal communities. The Northern Cree Circuit Court, which began operating in October 2001, hears cases in the communities of Sandy Bay, the Big River First Nation, and Pelican Narrows. The judge, Crown prosecutor, court clerk, and two probation officers speak Cree fluently, while the Legal Aid lawyer has the help of an interpreter. The Northern Cree Circuit Court has also increased the use of restorative justice approaches and referred more cases to human services agencies. A formal evaluation of the Northern Cree Circuit Court is underway. However, communities served by the Court and stakeholders in the criminal justice system have expressed a great deal of enthusiasm for the court. Saskatchewan Justice is interested in supporting similar initiatives in other parts of the province.

The Prince Albert Grand Council Healing Lodge

Saskatchewan Corrections and Public Safety provides funding and operational support to the Prince Albert Grand Council Spiritual Healing Lodge. The Lodge helps Aboriginal offenders address their needs in the context of their spiritual and cultural beliefs. Developing understanding of and pride in the First Nations heritage helps residents to develop a healthy lifestyle and a sense of belonging. To this end, staff and Elders at the Lodge provide inmates with a solid grounding in First Nations culture and customs to help address their physical, mental, emotional and spiritual needs. This involves teachings about the history, customs, traditions, ceremonies and symbols of First Nations cultures. The program uses a wholistic healing process to address issues such as the roots of violence, family dynamics, and sexual abuse. In March 2002, an evaluation of the Healing Lodge indicated that the program is having a positive effect in helping offenders accept responsibility and be accountable for their behavior.

Corrections programs involving Elders and Aboriginal culture or spirituality

Although it should not be assumed that every Aboriginal offender will want to participate in cultural programs or spiritual ceremonies, it is important that Aboriginal inmates have opportunities to participate if they wish. Pipe ceremonies, smudging ceremonies, sweat lodges, pow-wows, feasts and round dances are held regularly at correctional centres and Aboriginal inmates organize self-help and fellowship groups that offer educational, spiritual and cultural activities. Some of the correctional

centres provide programs that are developed by or with the input of local Elders, and all of the major correctional centres have contracted Elders to provide cultural, spiritual and personal counseling. Offenders who are on probation or serving conditional sentences can access Elders and other services through Aboriginal community-based organizations.

The Paul Dojack Youth Centre Oshihtawin Program is an example of how the involvement of Elders can make a significant difference in dealing with young offenders. The Centre's Elders Council includes five or six Elders or ceremonial people who are recognized by the head Elder of Treaty 4. The Elders Council oversees all of the cultural programs at the youth centre including ceremonies, cultural values, and education about the history of Aboriginal peoples. The Elders Council was also consulted in developing the purpose, program content and procedures for the Oshihtawin Unit. This residential unit is for youth who have acted in a seriously violent way in their home unit. The Elders agreed to the need and direction of the unit and determined its name. The Elders provide sweat ceremonies, education and cultural values programming to the youth, while staff provide supervision, educational programming, and specialized programs such as developing communication and anger management skills. As a result of this program, many of the youth eventually return to their home unit.

Saskatchewan Corrections and Public Safety will continue working with Aboriginal communities and Elders to deliver programs that are appropriate for offenders and to increase the sensitivity of staff to spiritual and cultural issues.

IMPROVING THE EFFECTIVENESS OF SERVICES

While it is vital to work over the long term to build community ownership and capacity to address the social and economic factors that influence offending and victimization, it is also necessary to respond appropriately when crime occurs. Clearly, people must be held accountable for their actions. Saskatchewan Justice and Saskatchewan Corrections and Public Safety continually seek ways to improve the effectiveness of services to victims, offenders and communities. This involves:

- restorative justice and alternative measures;
- community policing;
- effective corrections programs for offenders;
- responding to issues of serious crime, such as family violence and child sexual exploitation;
- making the justice system more responsive to the needs of victims; and
- improving justice services in northern Saskatchewan.

As part of this work, the departments are developing approaches that are based on sound research and best practices in other parts of Canada and the world. This includes evaluating programs, monitoring their effectiveness, and making changes to improve them. It also means having clear, measurable goals and objectives and building evaluation into the design of new programs and initiatives, rather than thinking about evaluation and outcomes afterward.

Restorative justice and alternative measures

Restorative justice is a philosophy that has been developing nationally and internationally over the past few decades. It draws on traditional methods of resolving conflict that are used by many cultures, including those of Aboriginal peoples. A restorative approach:

- defines crime as a violation of one person by another, rather than focusing solely on crime as a legal offence against the State;
- focuses on problem-solving;
- involves victims and offenders in resolving the matter; and
- works to reintegrate the offender into the community and help them to make positive changes in their life.

Restorative justice is consistent with the strategic approach described in this submission. Restorative justice reflects community ownership, as it involves victims, the accused, families and community members. It also reflects the community capacity building approach because the problem solving that takes place during the process considers how to prevent the crime from happening again and how to deal with the underlying issues that may be involved. In addition, the restorative justice approach is consistent with the values of Aboriginal communities.

There is a growing body of research in Canada about the effectiveness of restorative justice. For example, one group of researchers examined the results of 22 studies about restorative justice.[20] The studies focused on the satisfaction of victims and offenders with the process, the impact of restorative justice on re-offending, and the extent to which the offenders completed agreements about making restitution. The results were very positive. Victims were very satisfied, offenders were much more likely to make restitution and the rate of re-offending was reduced by 7%. There was no impact on the satisfaction of offenders, however.

Data from Saskatchewan indicate that alternative measures result in high levels of satisfaction for victims and communities. Community-based agencies that offer alternative measures report that partnerships are increasing and that communities are becoming more involved. Moreover, more than 8 in 10 youth and adult alternative measures cases result in agreements between the youth or adult, the victim, family members and others involved in the incident, about how to resolve the matter and make right the harm that was done. Of these agreements, about 9 in 10 are fulfilled, which means that the offender met conditions such as providing restitution to the victim, working in a volunteer or charitable organization, attending counseling or addictions programs, making presentations in schools and many others. These successful outcomes help to make right the harm that was done to the victim and the community, and educate the offender and others about the consequences and impact of crime.

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[20] Latimer, Jeff, Craig Dowden and Danielle Muise. (2001). *The Effectiveness of Restorative Justice Practices: A Meta-Analysis*. Ottawa: Research and Statistics Division, Department of Justice Canada.

In addition to satisfying victims and communities, data from alternative measures programs for youth in Saskatchewan indicate that the programs help reduce community caseloads. Between 1998 and 2001, the increase in the use of alternative measures coincided with a decrease in the average daily number of youth who received community sentences. There was a 4:1 ratio regarding the increase in the use of alternative measures for youth and the decrease in community caseloads.

The role of Saskatchewan Justice and Saskatchewan Corrections and Public Safety in supporting restorative justice and alternative measures

The criminal justice system has an important role to play in restorative justice. However, restorative justice will not end the need for the criminal justice system because it is important to ensure that restorative processes are fair, protect victims and communities, and respect the legal rights of the accused. There is room for restorative approaches at many points throughout the criminal justice process. For example, communities can become involved in responding to crime and dealing with conflict before charges are laid, after an offender has been sentenced, or when the offender is going to return to the community after a custody sentence.

The departments participate in a number of activities that fit a restorative justice approach. These include:

- encouraging a restorative philosophy, for example, by using mediation to resolve internal conflicts or conflicts with other stakeholders;
- exploring the use of restorative processes in custody facilities and after offenders have been sentenced or released from custody;
- increasing the use of alternative measures and pre-charge referrals; and
- helping community justice and alternative measures programs expand their services.

One of the challenges for the departments is to determine how a restorative approach would apply to our internal operations and to custody facilities. The Dispute Resolution Office of Saskatchewan Justice has been actively involved in mediating disputes and in training government and non-government organizations and officials in various methods for resolving disputes, but further work is needed to integrate a restorative approach throughout the departments' internal practices.

Increasing the number of pre-charge referrals is another challenge. In pre-charge referrals, the police refer a case to a community justice program or alternative measures agency before charges are laid. The accused person is not charged if they complete the alternative measures process. In post-charge referrals, the accused person is charged but the charges are stayed if they complete the process. In general, the more serious the crime, the more likely the matter will be referred after charges are laid. However, the departments believe that more matters should be referred before charges are laid. This would keep the accused out of the formal court system, in the hope that they would learn from the experience and change their behavior. The departments are working with police, community agencies and other stakeholders to encourage the use of pre-charge referrals.

The departments also want to continue working with community-based programs to expand their capacity to deal with more cases. Most programs are already operating at maximum capacity. Helping these agencies develop new projects, accept more cases or deal with more serious matters requires more than additional funding - it requires adequate support services in the community, staff training in dealing with more serious matters, and good working relationships between all of the stakeholders. The departments are working with community-based organizations, federal and provincial government departments, and other stakeholders to determine how expansion could occur.

Community policing

Over the past decade, the police have moved from a model of policing based on enforcing the law to a community policing model. Community policing is a philosophy that focuses on both enforcement and prevention. It is based on the idea that the police and public share responsibility for community safety. Police officers are assigned to work in specific zones so that they get to know the people in the area. They are encouraged to resolve community problems by using collaborative problem solving, restorative justice approaches, and referring appropriate matters to alternative measures programs.

Research on community policing demonstrates that this approach can produce significant changes in reducing crime and improving relationships between police and the public. In a study of community policing in Chicago, neighborhood residents were interviewed about the most serious problems facing their communities, and police were encouraged to be more responsive to the problems identified. The evaluation found that community policing had an impact on reducing identified crime problems in nine out of 20 categories - about a 45% success rate. This evaluation also looked at the impact of community policing on drug and gang problems and the physical decay of buildings and infrastructure in the neighborhood, as well as how community members perceived police responsiveness to community concerns. In these categories, the evaluation found positive improvements in 10 out of 20 outcome measures, for a success rate of 50%. Moreover, other studies have shown that fear of crime went down in half of the communities involved in community policing.[21]

Community policing is well established in Saskatchewan. The RCMP train police and community members in this problem-solving method. The civilian police boards of the municipal police forces and the police management boards for First Nations Community Tripartite Agreements have prioritized community policing for their police services. In rural and northern Saskatchewan, citizens are increasingly involved in policing through community police boards, and the Regina Police Service has opened two community police stations.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are interested in working with the RCMP and the municipal police services to increase the use of community policing throughout the province. This will occur by:

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[21] Skogan, Wesley B. (September, 1996). *Evaluating Problem-Solving Policing: The Chicago Experience*. Paper presented at the Problem-Solving Policing as Crime Prevention Conference in Stockholm, Sweden.

- fostering the development of police boards in order to involve citizens in determining policing priorities for their communities;
- involving the police in crime prevention programs and community capacity building efforts; and
- working with schools, youth and others to promote healthier lifestyles for youth.

These objectives could be met in many ways, depending on which police service was involved and the resources available. In general, they depend on developing partnerships between the police and community organizations to address specific crime and community issues. For example, the police could work with the local police boards to develop workplans about addressing the types of crime that are problems in that community.

Community policing requires a change in attitudes from both the police and the public. The police must be willing to accept a broader role that focuses on preventing crime and dealing with community issues, while the public must accept that they share responsibility for maintaining peace and security. Increasing the use of community policing is a gradual process. It takes time to build partnerships between the police and the community. It will also take time to develop community policing in communities with high rates of crime and to ensure that at-risk groups are meaningfully involved in problem-solving and building partnerships.

Expanding community policing is challenging due to the high crime rate in the province and the high level of serious violent crime in some communities, which requires the police to focus on responding to calls instead of spending time on community policing approaches. Since 1999, Saskatchewan has increased the annual policing budget by a record $18 million, which has provided 132 more police officers. This has helped to increase the amount of time police officers can dedicate to community policing. Saskatchewan Justice continues to look for ways to increase the number of police officers and work with the RCMP and the municipal police services to expand the use of community policing.

Providing effective programs for offenders

Saskatchewan Corrections and Public Safety works to rehabilitate and reintegrate offenders while protecting community safety and reducing the risk of re-offending. There is growing awareness that imprisonment should be reserved for offenders who pose the greatest risk to society, while lower-risk offenders are best managed through community-based programs and supervision. However, reducing the reliance on incarceration can only occur if there are adequate, safe and appropriate ways of managing lower-risk offenders in the community. This requires providing effective programs to reduce the risk of re-offending by addressing the offender's needs.

Research illustrates the importance of using the right type of intervention. Inappropriate interventions, or sentencing offenders without providing appropriate interventions, does not reduce re-offending. Table 8 describes the elements of programs that are successful in reducing youth and adult re-offending.

Programs based on the elements of effective interventions demonstrate a positive impact on re-offending. For example, preliminary evaluations of the Offender Substance Abuse Prevention Program (OSAPP), done by the Adult Corrections Division, indicate that re-offending is reduced by up to 17%. However, the impact of the program on re-offending tends to be lost two to three years after offenders return to the community due to a lack of ongoing support and community programs. The Adult Corrections Division has also implemented family violence interventions, cognitive skills development, sex offender relapse prevention and substance abuse treatment programs in custody facilities and community probation offices across the province.

A provincial risk/needs assessment during 2001-2002 found that the risk factors of Aboriginal and non-Aboriginal peoples are almost the same. For both Aboriginal and non-Aboriginal offenders, the areas that required the most attention were employment skills, family and marital relationships, and drug and alcohol use. However, the percentage of Aboriginal offenders with these needs is higher. For example, 73% of Aboriginal offenders in correctional centres needed to develop employment skills compared to 54% of non-Aboriginal offenders.

Table 8: Elements that Reduce Youth and Adult Reoffending[22]

- Commitment to the value of rehabilitating offenders, and careful attention to the research.
- Using a proven and tested instrument that measures the offender's risks and needs in order to match risk to the level of service provided. Risk assessment is crucial to identify the risk factors that need to be addressed in order for the offenders to be successfully rehabilitated. Individual risk assessment is needed because these factors are unique for each person.
- Systematically addressing risk factors such as antisocial attitudes, feelings, and association with others who are involved in criminal activity; promoting family affection while increasing parental supervision; increasing self-control; learning positive social skills; and reducing alcohol and drug use.
- Responsivity. This refers to choosing types of services that are capable of influencing the criminogenic needs of each offender. This includes using appropriate types of services, how these models or interventions are applied, and whether they are delivered in a manner that fits for the individual. For example, interventions that involve the active participation of the offender are more helpful for many offenders than programs in which they hear a lecture.

22 These elements are summarized from three articles. See McGuire, J., & Priestly, P. (1995). "Reviewing 'What Works': Past, Present and Future". In *What Works: Reducing Reoffending, Guidelines From Research and Practice*. John Wiley & Sons Ltd., New York, New York. See also Dowden, C. & Andrews, D.A. (1999). "What Works in Young Offender Treatment: A Meta-Analysis". In *Forum on Corrections Research* 11 (2) pages 21-24. Finally, see Leschied, A. (2000). "Informing Young Offender Policy in Current Research: What the Future Holds". In *Forum on Corrections Research*, pages 36-39.

Both Aboriginal and non-Aboriginal offenders can enter programs to develop literacy and employment skills, address addictions, and deal with issues such as domestic violence and sexual offending. Programs that are specific to Aboriginal offenders, but available to non-Aboriginal offenders as well, are becoming more common. One example is the Balanced Lifestyles program which the Regina Correctional Centre developed in consultation with Elders. This program focuses on the offender's attitudes and behaviors by teaching skills for setting goals and making decisions. It involves the community in holding sweat lodges and in providing education about addictions and other topics.

One difference between Aboriginal and non-Aboriginal offenders is that Aboriginal offenders tend to be classified as higher-risk to re-offend.[23] Using current data from the provincial corrections database, Tables 9 and 10 outline the levels of risk to re-offend for offenders in custody and community programs. In both custody and community programs, a higher proportion of Aboriginal offenders were at the highest risk levels. Very few were at the lowest. The difference was the most pronounced for offenders in custody.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are jointly working with Aboriginal organizations to address the issue of re-offending. For instance, the departments participate in the Youth Services Model pilot projects in Prince Albert and Regina, which are currently being evaluated. It is expected that the evaluations will demonstrate the effectiveness of government and community agencies working together to reduce reliance on the youth justice system. This initiative also involves the Departments of Health and Learning.

Table 9: Risk Profiles of Offenders in Custody in November, 2002

	High Level of Risk %	Medium Level of Risk %	Low Level of Risk %
Non-Aboriginal	51	42	7
Status Indian	75	23	2
Non-Status Indian	62	38	0
Métis	66	33	1

Table 10: Risk Profiles of Offenders in the Community in November, 2002

	High Level of Risk %	Medium Level of Risk %	Low Level of Risk %
Non-Aboriginal	28	52	20
Status Indian	59	35	6
Non-Status Indian	57	35	8
Métis	48	44	8

[23] In 2002, with help from the Research Branch of the Solicitor General of Canada, Adult Corrections Division evaluated the effectiveness of the risk/needs assessment instruments used to predict re-offending. The evaluation found that the instruments used by Saskatchewan Corrections were valid tools for predicting the re-offending of Aboriginal and non-Aboriginal offenders.

Another example is the Young Offenders Forum - a partnership that focuses on reducing Aboriginal youth re-offending. Developed jointly by the Young Offenders Division and the FSIN, the Forum examines how low-risk Aboriginal youth can be diverted from the formal justice system and how to decrease the re-offending of higher-risk youth. In early 2003, the Department and First Nations communities will jointly offer a training session about the risk assessment of young offenders. As information on the risks and needs of youth become more clearly identified, the Department will develop new programs and change existing programs to address the needs of young offenders in the most effective way.

Providing Programs for Female Offenders

Meeting the needs of female offenders is a challenge for Saskatchewan Corrections and Public Safety. Although the population of female inmates has not increased significantly over the last several years, there has been a major change in the profile. The profile of female offenders is now more likely to include violent offences, and drug abuse has become a serious issue. Alcohol abuse also continues to be a significant problem. As well, the average sentence length for female offenders is higher in Saskatchewan than in other jurisdictions. There is a need to develop a strategy that will identify the needs of female offenders and the appropriate level of level of correctional intervention. The new model would involve comprehensive programming and community resources to address risk factors, while balancing the need for rehabilitation against the need to protect community safety.

Alcohol and Drug Abuse

Saskatchewan Corrections and Public Safety is also responding to the serious issue of alcohol and drug abuse in many communities. Alcohol and drug abuse is linked to violent crimes because individuals may become violent while intoxicated, and to property crime, as people may commit such crimes to obtain money to support their habit. An assessment of the risks and needs of inmates in provincial correctional centres in 2001-2002 indicated that approximately 60% of offenders had considerable difficulty with drug and alcohol use, while 27% had some difficulty. Only 13% had no difficulty. Information from Saskatchewan Health indicates that 55% of clients in alcohol and drug programs funded by the Department in 2000-2001 were Aboriginal. Furthermore, 51% of the Aboriginal clients had some involvement with the legal system compared to 32% of non-Aboriginal clients.[24]

[24] Saskatchewan Health. (February, 2002). "Alcohol and Drug Centre Client Profile: Individuals in Recovery Services 2000/2001". Focus Sheet 2001-3.

The Department is committed to developing a strategy for providing alcohol and substance abuse programs in both correctional centres and community settings. OSAPP has shown demonstrated results in dealing with addictions. Of the provincial offenders who completed OSAPP in 1998, 52% were re-convicted of new criminal offences. In contrast, 69% of offenders who did not attend or complete the program were re-convicted in the same time frame. This indicates that the OSAPP program resulted in a 17% decrease in re-offending.

Fetal Alcohol Syndrome /Fetal Alcohol Effect

Dealing with the effects of Fetal Alcohol Syndrome or Fetal Alcohol Effects (FAS/FAE) is another challenge for the Department. Estimates about the rate of FAS/FAE in the province vary greatly, but it is well documented that individuals with FAS/FAE may be more likely to become involved with the criminal justice system as they are often impulsive and can be led into anti-social behavior by others. Saskatchewan Corrections and Public Safety will continue training all corrections staff about the effects of FAS/FAE and how to respond effectively to individuals who have FAS or other cognitive impairments.

Emotional and mental health

Many offenders in the correctional system need services to help them address mental health issues. Approximately one to three per cent of the offenders in provincial correctional centres require psychiatric services to treat disorders involving hallucinations or delusions. A review of 2001-2002 risk assessment data from provincial correctional centres has shown that approximately 18% of inmates have a considerable level of emotional needs which would benefit from psychiatric treatment, counseling or cognitive therapy.

Providing mental health services is a major challenge for Saskatchewan Corrections and Public Safety. Each correctional centre has access to limited psychiatric services. These services tended to address immediate emotional issues or symptoms of underlying problems. The Saskatoon Correctional Centre has been fortunate in that a staff psychologist has been, on a weekly basis, assessing and providing counseling to over 100 inmates and to offenders who are receiving supervision or serving sentences in the community.

Access to psychological and psychiatric services by inmates in smaller correctional facilities and offenders under community supervision has been limited to services provided by local mental health clinics. These clinics, which also provide services to the general public, prioritize clients who have the highest level of need. The Department will continue partnering with mental health agencies and counseling services, where available, to address the emotional and psychiatric needs of offenders as part of their rehabilitation and reintegration planning.

Responding to interpersonal violence and sexual exploitation

While it is vital to work over the long term to address the social and economic factors that influence offending and victimization, it is also necessary to respond appropriately when crime occurs and to focus on serious crimes that are especially troubling. The departments are currently focusing their resources on the issue of interpersonal violence - particularly family violence and the sexual exploitation of children.

Interpersonal Violence

Violent, interpersonal crime is a more serious problem in Aboriginal communities than in non-Aboriginal communities. Much of this violent crime involves family violence and sexual abuse. Some commentators have suggested that levels of family violence in Canadian Aboriginal communities have reached epidemic proportions.[25] Aboriginal peoples are more likely than other Canadians to report violence by a spouse (20% compared to 7%).[26] Moreover, Aboriginal women are victimized to a greater degree than all other populations - 25% of Aboriginal women report being victimized, which is twice the rate of Aboriginal men and three times the rate of non-Aboriginal women and men.[27]

In addition to the trauma experienced by the victim in cases of interpersonal violence, children often witness this violence. Children have witnessed domestic violence in 47% of Aboriginal households, compared to 37% of non-Aboriginal households. In up to 10% of assaults, the child was harmed or threatened.[28] In addition to immediate physical harm and long-term emotional trauma for victims, family violence can result in a continuing cycle of abuse across many generations. There is research indicating that children in homes where family violence occurs are at greater risk to be violent or to be victims of domestic violence later in life.

In keeping with a community-owned approach, the departments have a role in supporting community efforts to deal effectively with sexual abuse and family violence. For example, Saskatchewan Justice supports Aboriginal Family Violence Initiatives, offers training for workers dealing with family violence and has begun working to educate communities about the options available to people who are experiencing family violence and how communities can help. Adult Corrections works with Mental Health services to deliver Alternatives to Violence programs for offenders convicted of spousal assault.

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[25] The Aboriginal Nurses Association of Canada and the Royal Canadian Mounted Police. (May, 2001). *Family Violence in Aboriginal Communities, A Review*. The Aboriginal Nurses Association of Canada and Royal Canadian Mounted Police.

[26] CCJS. (June 2001). *Family Violence in Canada: A Statistical Profile 2001*. Ottawa: Statistics Canada, page 28.

[27] ibid, page 29.

[28] CCJS. (June 2001). "Children Witnessing Family Violence". *Juristat* 21 (6).

There have been questions raised about whether all provisions of *The Victims of Domestic Violence Act* apply on reserves. This is a major challenge for Saskatchewan Justice. The Act provides for a Justice of the Peace to issue emergency intervention orders in cases where they believe domestic violence has occurred and the order is necessary to immediately protect the victim. As well, the alleged abuser can be removed from the home for a period of time, regardless of who has "exclusive possession" of the home. Although two evaluations of *The Victims of Domestic Violence Act* showed significant community support for this legislation, since homes on reserve are owned by the First Nations bands, some argue that residence rights fall under the jurisdiction of the federal *Indian Act*, which would take precedence over those provisions of the provincial *Victims of Domestic Violence Act*. The Department will continue working with First Nations governments and federal departments, including Indian and Northern Affairs and Federal Justice, to address this problem. There is also a role for the departments in working with community organizations and other stakeholders to develop provincial protocols about family violence, assessing the impact of *The Victims of Domestic Violence Act*, supporting programs for children who witness domestic violence, and continually improving family violence programs and sex offender treatment programs.

The sexual exploitation of children

The sexual exploitation of children is a growing concern, particularly in urban centres and Aboriginal communities. Protecting children from sexual exploitation and holding sex trade consumers accountable while meeting the children's needs and protecting their rights is a major challenge. Saskatchewan Justice recently launched the Vehicle Impoundment Against Sexual Exploitation (VISE) Program and proclaimed *The Highway Traffic Amendment Act*. This legislation creates new offences for continually driving or parking in areas where sexual exploitation is known to occur.

The VISE Program provides police with new powers to seize and impound vehicles used by sex trade consumers committing exploitative offences. If the person is convicted, their driver's license may be suspended and their vehicle may be forfeited. As of November 20, 2002, 71 vehicles have been seized as part of the VISE program, three vehicles have been forfeited to the Crown and four people have had their drivers licences suspended. These results indicate that the programs are holding sex trade offenders accountable for their actions.

Responding to the needs of victims

Government, the public and stakeholders in the criminal justice system have become more aware over the past several years that the needs and interests of victims should be a central part of the criminal justice process. The province began working on addressing the needs of victims in the mid-1980s.

In 1996, Victims Services Branch organized meetings in Prince Albert, Regina and Saskatoon with 27 Aboriginal organizations and victims of crime in order to receive feedback about how victims services programs could be more responsive to their needs. As a result, Saskatchewan Justice developed crime prevention programs for Aboriginal youth, family violence initiatives for Aboriginal families, Aboriginal Resource Officer programs and victims services programs in northern Saskatchewan.

The Victims Compensation Program provides compensation to victims of violent crimes to cover the cost of expenses such as counseling, ambulances, lost wages, and medical and dental expenses not covered by an insurance plan. In 1996 Victims Services Branch extended the definition of a "counselor" to include Aboriginal Elders. This recognizes the value of using traditional cultural practices to help victims of crime in their healing process.

Police-affiliated programs are the core service for victims in Saskatchewan. These programs, which operate out of RCMP detachments and municipal police stations, receive referrals directly from the police. Saskatchewan Justice is in the process of evaluating its police-affiliated victim services and Aboriginal resource officer programs, which focus on supporting Aboriginal victims of crime. Initial findings show these programs are meeting the needs of the victims in a timely and appropriate way throughout the criminal justice process. Annual data shows that in 2001-2002, 320 volunteers gave 24,000 hours to assist 16,000 victims of crime. However, more needs to be done to make these services more available in the north, on-reserve and in rural Saskatchewan. It has been especially difficult to provide victims services on reserves because the federal government has been unwilling to commit funding. While victims living in reserve communities do receive victims services through off-reserve programs, the lack of ongoing federal funding is an important issue for on-reserve communities with high levels of victimization. The departments will continue to discuss this issue with the federal government.

Improving justice services in northern Saskatchewan

The northern part of the province falls within the Northern Administration District - practically speaking, communities north of the 54th parallel. This huge area accounts for half of the province's geography, yet according to 1996 Census data it has a population of only 31,104. Many communities are small and isolated, and it is often difficult to travel there during the winter. This leads to many challenges in delivering services. Furthermore, there are limited local resources to address high levels of serious activity such as sexual abuse, family violence and substance abuse. The departments have initiated a number of projects that are working to address these issues.

Supporting Community Police Boards

Policing in northern Saskatchewan has a number of unique challenges. The police cope with high workloads and the need to prioritize cases that often involve very serious crimes. Saskatchewan Justice views community police boards as one key to addressing many issues. Community police boards involve community members working with the RCMP to develop priorities for policing in their communities. Boards are active in many northern communities and are encouraged to take an active role in matters such as orienting new RCMP members, bringing community concerns to the attention of the detachment, and problem-solving about the types of crimes that are common in the area. The Department will continue working with SANC, the RCMP and community police boards to improve the relationship between police and the community, to address issues of victimization and offending, and to link with crime prevention programs being developed in many northern communities through the federal National Crime Prevention Centre.

Providing Victims Services in northern Saskatchewan

When Saskatchewan Justice began developing victims services in 1992 the program responded to communities that immediately came forward with proposals demonstrating community readiness, rather than reaching out to communities that might have the highest needs or crime rates, such as some Aboriginal or northern communities. There are victims services programs now operating in the north, but services are not available in some areas, particularly in the Athabasca region. Working with the federal government, other provincial government departments and agencies, the Prince Albert Grand Council and other stakeholders will be vital to increase the availability of victims services in northern Saskatchewan.

Reducing Delays in the Courts

The Department of Justice receives many complaints about the length of time it takes to hear cases, especially in northern Saskatchewan. The north accounts for a significant percentage of cases before the courts and the time it takes to resolve these cases is often longer than the provincial average. For example, the average elapsed time for youth cases in the province is 125 days from the first court appearance to disposition. This varies from 54 days in Swift Current to 166 days in Lloydminster. The average elapsed time in youth cases involving serious violent offences is 160 days, ranging from 129 in Regina to 197 in the north.

In the north, court only travels to some locations once or twice a month. A large volume of cases may cause delays, and hearings may be further delayed if the court is unable to go to a remote location because of bad weather. It is recognized that this places additional emotional stress on the accused person, and may result in them being kept in remand for an extended period of time before the judge makes a decision about whether they can be released on bail before their trial is held.

To help address this challenge, Saskatchewan Justice is exploring the use of videoconferencing in northern communities. This technology could enable a judge to make a decision in a bail hearing without needing to transport the accused person away from their home community to one of the cities, or wait until the judge travels to the community.

The Department is also working to expand the number of Aboriginal Justices of the Peace in order to reduce the delays in having criminal cases heard throughout the province. Justices of the Peace might assume some of the mundane matters of the workload of judges. For example, there is a pilot project in the Swift Current Provincial Court in which a Justice of the Peace hears docket appearances, summary and traffic matters, leaving the judges to deal with the more serious matters and procedures after the plea. There has been some difficulty in attracting Aboriginal Justices of the Peace, in part because they might be working in small communities where they are more likely to know accused persons and their families.

Providing corrections in northern Saskatchewan

One of the challenges facing Saskatchewan Corrections and Public Safety is how to provide corrections in northern Saskatchewan. Due to a lack of space in correctional centres and police holding cells, northerners who are being held on remand while awaiting trial, or who are sentenced to a term of imprisonment, are often transported out of northern Saskatchewan. When this happens, the accused person or offender is isolated from family and community support.

Correctional camps in the Waden Bay and Besnard Lake areas and a community correctional centre in Buffalo Narrows provide northern offenders with an alternative to serving a term of imprisonment in Prince Albert. Adult Corrections is also working with First Nations communities to develop ways in which the community can assist in rehabilitating offenders. For example, some communities have agreements with the Department for the supervision of offenders.

In some places, partnerships are being formed with First Nations to offer programs that address the risks and needs of offenders. For example, the Lac La Ronge Indian Band co-facilitates a sex offender program. The Department is interested in working with other Aboriginal communities to develop similar initiatives.

EMERGING ISSUES

Gangs and organized crime are emerging issues facing some Saskatchewan communities. The major forms of organized crime in Saskatchewan involve outlaw motorcycle gangs and street gangs. Organized crime groups and gangs are involved in a wide range of offences, including prostitution, drug trafficking, firearms trafficking, illegal gambling, car theft, organized shoplifting, fraud, forgery, and counterfeiting.

Drug trafficking by gangs and organized crime rings is also a major problem. Northern communities are deeply concerned about the use of inhalants, particularly by young people, and the increased availability of drugs in the north.

The major urban centres in the province now have integrated serious crime units that involve the municipal police services, the RCMP, and other organizations. These units are involved in developing a comprehensive, collaborative, and effective response to identifying organized crime, preventing organized crime activities and interrupting the profits of organized crime by seizing illicit goods and money.

Gangs, which are often involved in organized crime, may function at a formal or informal level. Street gangs in Saskatchewan include loosely structured neighborhood crime groups as well as highly structured gangs with distinctive leadership structures and rules. Many street gangs have also created youth gangs to assist the regular members with some of their criminal activities.

There are many problems associated with street gangs. Gangs are extremely aggressive towards police and new members of gangs within correctional centres are often willing to commit acts of violence to demonstrate their loyalty and earn "respect". As well, witnesses have been intimidated in the community and the courts. This is a disturbing problem that affects the quality of life in our inner-city communities and reserves around the province. Gang activity also contributes to re-offending and to the recruitment of young people into criminal lifestyles.

Saskatchewan Justice is addressing this threat through partnerships with the FSIN, the federal government, the RCMP and municipal police services. The FSIN has recognized the seriousness of this threat and has launched a new initiative to deal with gang recruitment. Saskatchewan Corrections and Public Safety is working with Saskatchewan Justice and the police to address the issue of gangs in correctional centres.

CONCLUSION

Saskatchewan Justice and Saskatchewan Corrections and Public Safety are working to support communities in efforts to address victimization and offending. While these issues occur to some extent in all communities throughout the province, the level of crime tends to be much higher in some Aboriginal communities, especially in the north, on reserves, and in the inner city.

The high levels of victimization and offending in some Aboriginal communities are the result of disadvantaged social and economic conditions as well as historical processes that have affected Aboriginal peoples. Since the reasons for offending include personal and social factors, it is necessary to address these problems at the individual, community and societal levels.

The departments are using four strategies to address the problems of victimization and offending. These strategies, which are based on consultation with communities, address factors at the community and departmental level as well as focusing on effective services for victims and offenders. The strategies include:

- building community ownership and capacity to address the factors associated with offending and victimization;
- developing partnerships;
- adapting the criminal justice system so that it recognizes and is respectful of the values of Aboriginal people and meets their needs for safety and security; and
- improving the effectiveness of services to victims, offenders and communities.

Although there has been steady progress over the past decade in building partnerships and developing programs that address the problems of victimization and offending, we cannot be satisfied with the progress we have made so far. There are a number of challenges remaining. In terms of building community ownership and capacity, the departments will continue to explore ways of supporting communities in identifying and addressing local issues. It is also vital to address the broader social and economic factors associated with offending and victimization, and this cannot occur through the efforts of the justice system alone. This is critical to the long-term health and well-being of the province. The crime rate may continue to rise unless steps are taken to deal with social disadvantage and to intervene with the growing numbers of young people who are most at-risk of coming into contact with the criminal justice system.

Over the past decade in particular, the departments have been building partnerships with communities, community-based organizations and Aboriginal governments as well as other departments and institutions in the justice system. We have learned that good partnerships require time, effort and commitment, and that their success depends on involving all of the stakeholders affected by an issue. While we have built some strong partnerships with Aboriginal governments and organizations in terms of delivering services, there is more work to do on involving Aboriginal peoples in the development of justice policies. We will also continue working with other provincial and federal government departments to develop comprehensive and integrated services.

This submission has identified a number of areas where work is needed to provide services to victims, offenders and communities. The departments will work to increase the use of restorative justice and alternative measures and expand the use of community policing. Saskatchewan Corrections and Public Safety is working to increase the effectiveness of programs that address the risks and needs of offenders and reduce re-offending. Some of the major challenges in this area include addressing the serious issues of alcohol and drug abuse, the need for psychiatric and psychological services, and providing programs for female offenders. Saskatchewan Justice is also working to address the needs and interests of victims, which includes ensuring that Aboriginal people can access victims services programs throughout the province.

There are a number of particular challenges in delivering justice services in northern Saskatchewan. Court delays, access to correctional services and access to victims services are some of the major issues. The departments are also exploring ways of dealing with serious crime issues such as family violence and the sexual exploitation of children, as well as the emerging issues of drugs, gangs and organized crime.

Finally, adapting the criminal justice system so that it recognizes and is respectful of the values of Aboriginal people and meets their needs for safety and security is perhaps the most serious challenge we face. We are working toward increased trust and respect between Aboriginal peoples and the justice system, but more is required. In particular, we need to ensure that the policies, practices, and attitudes within the justice system are not barriers to Aboriginal peoples. We also need to hire more Aboriginal employees to work in the justice system, ensure that complaints are dealt with appropriately and that departmental staff are educated about racism and cross-cultural sensitivity.

The issues of racism and the need to build trust between Aboriginal and non-Aboriginal peoples go beyond justice system staff or officials. There is a pressing need to promote trust, harmony and cooperation between all Aboriginal and non-Aboriginal peoples in the province. As a growing percentage of the provincial population is Aboriginal, relations between Aboriginal and non-Aboriginal peoples will become increasingly important to the health and strength of our communities and economy. While there is a role for justice officials to play in addressing this issue, it must become an issue of vital concern to all provincial citizens.

Saskatchewan Justice and Saskatchewan Corrections and Public Safety believe that - by working together toward a common vision of safe, secure communities - it is possible to reduce the level of crime, victimization and offending in Saskatchewan communities. We look forward to working with all Saskatchewan people to achieve this vision.

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APPENDIX

Department of Justice Performance Plan

Department of Corrections and Public Safety
Performance Plan

PERFORMANCE PLAN

OVERVIEW

The following document forms the basis for the Performance Plan for the Department of Justice in 2002-2003 and beyond.

As a participant in the government-wide accountability project, the Department is committed to evaluating the effectiveness of its programs, and to ensuring that the financial choices made are producing the results the province needs in order to achieve its goals.

As our plan evolves over the next several years, part of that growth will be the addition of performance measures.

The performance plan includes a vision for the future and long-term goals and objectives that will guide the department over the next several years. Attached to each objective are several key actions that the department intends to accomplish in 2002-2003.

The government-wide restructuring has had an impact on the Department of Justice Performance Plan. One major impact was the transfer of Adult Corrections to the new Department of Corrections and Public Safety.

2002-03 BUDGET OVERVIEW

The 2002-2003 budget for the Department of Justice is $184.2 million. This budget funds the programs and services delivered by the Department of Justice and by the independent Boards and Commissions that report to the Minister of Justice. Approximately 75 per cent of the budget is spent on criminal justice services including policing, prosecutions, legal aid, courts, and alternative measures.

The following chart shows the breakdown of estimated department spending.

2002-03 Budget (in thousands of dollars)

Accommodation and Central Services	11,984
Administration	4,235
Boards and Commissions	19,628
Community Justice	93,306
Court Services	33,951
Legal Services	17,273
Marketplace Regulation	3,829
Total	**184,206**

TRENDS AND ISSUES

A number of trends and issues influence our future and the goals and objectives of our performance plan in 2002-2003 and beyond.

Crime Trends

The crime rate is one of the measures of the well-being of Saskatchewan society and drives much of what we do in the criminal justice system.

In 2001, the crime rate in Saskatchewan was 13,458 *Criminal Code* incidents per 100,000 population. This represents a 5.4 per cent increase over the previous year. In comparison, the national crime rate was 7,747 *Criminal Code* incidents per 100,000 population, representing a one per cent increase over the previous year.

While data on victimization patterns suggests that most Saskatchewan residents are about as safe as residents of other provinces, this does not hold true for all groups and communities. Saskatchewan's poorest communities, predominantly in the inner city, on reserve, and in the north, experience the most crime. In addition, a significant amount of violent crime is committed within family and other relationships.

Aboriginal Relations

Aboriginal people experience dramatically higher levels of offending, victimization, and incarceration than non-Aboriginal people. While representing 11 per cent of the provincial population, Aboriginal people represent about 40 per cent of those accused of crime and a similar proportion of those victimized by crime.

Changing Society

The baby-boom generation is aging and the senior population is growing. Indeed, seniors, along with Aboriginal people, constitute the fastest growing population groups in Saskatchewan.

A significant number of Saskatchewan children are experiencing parental separation and are growing up in non-traditional families. The number of Saskatchewan lone-parent families increased by 16 per cent between 1991 and 1996, while the number of common law families rose by 27 per cent.

Broad socio-demographic changes have been accompanied by demands for action to protect vulnerable people and ensure greater equity through services for victims, culturally-sensitive responses to the values and needs of Aboriginal people, measures to prevent and respond to family violence, action to reduce the incidence of sexual exploitation of children, more supports for children and parents experiencing family breakdown, and added protection for vulnerable people like seniors and persons with disabilities.

Globalization of the Marketplace and Changing Models of Regulation

Globalization and trade liberalization have been key factors affecting the Saskatchewan economy. Networks of digital communications, the digitization of information and the restructuring of work are key features of the new economy. In this context, provincial and national borders are becoming less significant. There is pressure to harmonize our legislation with other jurisdictions to simplify regulatory and legal structures at the national and international level.

Federal/Provincial Environment

Justice is a shared responsibility between federal and provincial governments. Although the Province, through the Department of Justice, is responsible for the administration of justice, the federal government bears primary responsibility for criminal law including youth justice and some aspects of family law. As a consequence, federal legislation can and does impose formidable new obligations on the Province.

We are working closely with our federal and provincial partners to address public safety and security issues.

WHERE WE ARE HEADED, WHAT WE INTEND TO DO, AND HOW WE WILL MEASURE PROGRESS

Our Vision

A fair, equitable, and safe society supported by a justice system that is trusted and understood.

Our Mission

To promote safe communities, social and economic order and just relations by:

- providing legal and policy services for government;
- providing mechanisms for resolving differences;
- fostering understanding and ownership of the justice system;
- ensuring appropriate enforcement of the law;
- creating an environment for rehabilitation;
- providing a framework for commercial transactions;
- promoting crime prevention and responding to the needs of victims; and
- working cooperatives to address adverse conditions that bring people into contact with the justice system.

Our Commitments

- Support the Commission on First Nations and Metis Peoples and Justice Reform.
- Respond to the report of the Special Committee to Prevent the Abuse and Exploitation of Children Through the Sex Trade that will better protect children and hold those who exploit them accountable for their actions.
- Participate in the implementation of the National Sex Offender Registry.

GOAL 1 - SAFE COMMUNITIES

PRESERVE PUBLIC ORDER AND PERSONAL SAFETY, REDUCE CRIME, AND PROTECT THE RIGHTS OF PEOPLE.

Objective 1: Hold offenders accountable through effective enforcement and responses to offending and protect the rights of persons in criminal processes.

Saskatchewan citizens want their families, their homes, and their communities to be safe. The Department has a balanced, multi-year criminal justice strategy for building safer communities and overall public confidence in the criminal justice system. This includes initiatives in the areas of law enforcement, victims' services, and crime prevention. This approach recognizes the need for formal justice services and increased emphasis on community-based services including responsibility for local delivery, crime prevention, offender programming, and involvement of victims.

Key Actions for 2002-03

- Fund the Serious Crime Task Force and the Serious Habitual Offender Comprehensive Action Plan (SHOCAP).
- Expand the Serious Crime Units in Estevan, Weyburn, Prince Albert, Moose Jaw, and Regina.
- Fund 26 new police officer positions, including 14 municipal officers and 12 RCMP officers.
- Work with police to develop a strategic plan to respond to organized crime.
- Participate in the implementation and evaluation of the Regina Auto Theft Strategy.
- Support development of community-based policing.
- Evaluate the adult duty counsel pilot projects established in custody court in Regina and Saskatoon.
- Work with the federal government to implement a national sex offender registry.

- Implement videoconferencing in one provincial court location.
- Review interpreter services provided at northern court locations for people who do not understand or speak English.
- Review the Justice of the Peace program in Saskatchewan.
- Work with the Departments of Corrections and Public Safety and Health and other departments to plan for the implementation of the *Youth Criminal Justice Act*.

Objective 2: Respond to the needs of victims throughout the criminal justice process

The Department supports timely and appropriate responses to the needs of victims of crime. We believe that these needs can be best met by:

- effectively managing the Victims Fund to maximize funding for programs and services;
- providing basic crisis intervention services in the immediate aftermath of a crime, with a special emphasis on those more vulnerable to victimization (children, victims of violent crime, Aboriginal people, and persons with disabilities);
- providing financial compensation and support services to help victims through the criminal justice process;
- helping victims have a greater voice in the criminal justice process; and
- educating the public and justice professionals about the needs of victims and how to respond in a helpful and compassionate manner.

Key Actions for 2002-03

- Work with 17 police-affiliated victim services and three victim/witness programs to provide services to meet the needs of victims of crime.
- Implement responses to the report of the Special Committee to Prevent the Abuse and Exploitation of Children Through the Sex Trade such as amendments to The Highway Traffic Act that give police the authority to seize and impound vehicles used in the commission of a sex trade offence.
- Fund services to victims of family violence.
- Evaluate police-affiliated victim services programs including conducting a client survey.
- Publish reports on roundtable meetings conducted to gather information on the extent to which victim services programs are meeting the needs of Aboriginal people and people who are older or who have disabilities.

Objective 3: Support effective community engagement in crime prevention and responses to offending

The Department supports a community justice and restorative justice strategy. We believe that the community must participate in dealing with offending and victimization, and that restorative approaches should be used. This approach emphasizes healing and rehabilitation while holding the offender accountable for the harm done to the victim and the community.

Key Actions for 2002-03

- Support community-based programs that provide diversion, crime prevention, and community-based justice programs and enhance community capacity.
- Review the Justice Provincial Crime Prevention Strategy and its funded programs to determine its effectiveness.

GOAL 2 - ABORIGINAL JUSTICE

THE JUSTICE SYSTEM RESPONDS TO THE NEEDS AND VALUES OF ABORIGINAL PEOPLE AND CONTRIBUTES TO A MORE INCLUSIVE SOCIETY.

Objective 4: Increase the participation and confidence of Aboriginal people in the administration of justice

Within Aboriginal communities, there is frustration with the criminal justice system and the lack of progress in developing changes that are responsive to their needs and values. Aboriginal leaders seek a justice system that accounts for cultural distinctiveness and actively involves Aboriginal people and communities in positive ways. The Department supports the need to reform the justice system to better meet the needs of Aboriginal people.

Key Actions for 2002-03

- Make submissions to and fund the Commission on First Nations and Metis Peoples and Justice Reform.
- Participate in discussions with Aboriginal organizations, the federal government, and others, about changes to the justice system.
- Evaluate the process and outcomes of the Northern Cree Court including the impact it has on the justice system and on communities.
- Establish an Elders' advisory committee for the Department.

Objective 5: Reduce the high rates of offending and victimization among Aboriginal people

Aboriginal people experience dramatically higher levels of offending, victimization and incarceration than non-Aboriginal people. They represent 11 per cent of the provincial population and eight per cent of the adult population 18 years of age and older, yet account for about 40 per cent of those accused of crime, and a similar proportion of those victimized by violent crime. The historical impact of colonization, race-based social exclusion, and the disadvantaged circumstances of many Aboriginal people has resulted in lower educational achievement, unemployment, poverty, high rates of substance abuse, family violence, and family and community dysfunction. The justice system, through its objective of providing greater social order, helps to build healthy communities.

Key Actions for 2002-03

- Support Aboriginal programming in the criminal justice system including Northern Cree Court, Aboriginal Court-worker Program, Aboriginal victim services, Aboriginal community justice programs, RCMP First Nations Community Policing Agreements, and the File Hills Agency First Nations Police Service.

GOAL 3: CIVIL AND FAMILY JUSTICE

CONFLICTS ARE RESOLVED IN CONSTRUCTIVE AND TIMELY WAYS, AND THE JUSTICE SYSTEM RESPONDS TO THE NEEDS OF VULNERABLE PEOPLE AND PERSONS INVOLVED IN FAMILY DISPUTES.

Objective 6: Improve access to effective dispute resolution processes

The Department provides dispute resolution mechanisms that resolve civil and family matters in constructive and appropriate ways. A key element of conflict resolution is the meaningful engagement of interested parties. This means making dispute resolution mechanisms available that are not alienating and mystifying and ensuring that the values and interests of both parties are fully understood and fairly considered.

Key Actions for 2002-03

- Evaluate the mandatory civil mediation program operating in the Court of Queen's Bench.
- Strengthen the role of Small Claims Court in resolving civil disputes.
- Expand the use of digital recording in the Courts.
- Strengthen French language court services.

Objective 7: Improve access to support services that promote resilient children and families

The Department provides family justice services that include assistance in the enforcement of maintenance payments, provision of legal aid in family law matters to low-income persons, parent education programs for separating or divorcing parents, programs for victims of family violence, custody and access assessments, and supervised access and exchange. Effective April 1, 2002, the Department will centralize many of these services into one unit-the Family Justice Services Branch-in order to better assist parents and children and the court system to deal with the difficulties of family breakdown and separation in the healthiest way possible. The new branch will provide a more integrated and streamlined service to the public.

Key Actions for 2002-03

- Implement a pilot project to help low-income persons vary child maintenance orders and agreements where required.
- Implement a pilot project with the Saskatchewan Legal Aid Commission and the Department of Social Services to improve legal aid and maintenance enforcement services for custodial parents on social assistance.
- Evaluate the effectiveness of the parent education programs established to help parents and children deal with the difficulties of family breakdown.
- Introduce and implement *The Inter-jurisdictional Support Orders Act* to streamline the process for obtaining, changing, and enforcing support orders.
- Introduce and implement *The Enforcement of Maintenance Orders Amendment Act* to allow the Maintenance Enforcement Office to help families obtain maintenance payments from parents who try to avoid making payments.

Objective 8: Protect the interests of children and adults who are unable to manage their own affairs

The Office of the Public Guardian and Trustee protects persons in vulnerable circumstances. This includes protecting the interests of children under 18, administering the estates of persons who are incapable of managing their own affairs, and administering the estates of deceased persons. When the Office of the Public Guardian and Trustee becomes involved in the administration of the financial affairs of a person or an estate, it conducts an investigation, determines assets, collects assets, pays debts, pays monthly support, pays other expenses, and distributes assets.

Key Actions for 2002-03

- Introduce and implement *The Powers of Attorney Act, 2002*, to protect people who give another person decision-making authority over their financial affairs through power of attorney.
- Complete the implementation of the Public Guardian and Trustee "Guardian" computer system and related financial controls over client assets managed by the Public Guardian and Trustee.
- Implement provisions of *The Public Trustee Amendment Act, 2001* and amendments to the Regulations under that Act that relate to the Office carrying out its duties.
- Provide authorized Public Guardian and Trustee clients and their representatives internet access to their financial information.

GOAL 4: MARKETPLACE RELATIONS

A FAIR AND EFFICIENT MARKETPLACE

Objective 9: Safeguard consumer and public interests and support economic well-being through responsive marketplace regulation

The marketplace is dynamic. Technological innovation is changing the nature of economic activity. Consumers are buying goods and services in forms and in ways not contemplated a decade ago. Businesses are evolving. In addition, succeeding in global markets increasingly requires governments to take into account what is happening in other jurisdictions and, more particularly, the impact of regulation on the ability of local firms and workers to compete. To remain effective, regulators must be able to adapt, and regulations and regulatory structures and processes must be reviewed on an ongoing basis to ensure they promote economic and social well-being. Care must be taken to ensure that regulatory structures and processes do not impose unnecessary costs on business or government.

Key Actions for 2002-03

- Establish the Saskatchewan Financial Services Commission which will serve as a single financial services sector regulatory body in areas of provincial jurisdiction.
- Support the creation of a comprehensive framework of harmonized, commercial law for Canada.
- Reform legislation on cost of credit disclosure.
- Enhance the functionality of the Corporations Branch corporate registry computer system for users who access the system through the internet.
- Amend *The Consumer Protection Act* to provide protection to people who buy goods and services on the internet.

GOAL 5: LEGAL SERVICES

UPHOLD THE RULE OF LAW AND PROVIDE LEGAL SERVICES THAT MEET PUBLIC NEEDS

Objective 10: Provide quality legal and policy advice to government and effective representation in litigation and other dispute resolution processes

The Department is committed in all of its operations to the rule of law. In general terms, this means that government itself is subject to the law and must operate according to its terms. The Department carries out the traditional role of the Attorney General in maintaining the rule of law and seeing that the administration of public affairs is in accordance with the law.

One important aspect of this role is the provision of legal and policy advice and services to government, including the Cabinet Committee on Legislative Instruments, and to government departments and agencies. The Department's Dispute Resolution Office also provides government departments and agencies with advice on dispute resolution processes and assistance in resolving public sector disputes.

Although a relatively small proportion of the staff and resources of the Department are devoted to providing these legal, policy, and dispute resolution services, the proper discharge of these functions is critical to the effective functioning of the justice system and to ensuring that public affairs are conducted according to law.

Key Actions for 2002-03

- Provide legal and policy advice and services to Government.
- Support the resolution of public sector disputes.
- Develop performance measurement standards for the legal services divisions.

CONTACT INFORMATION

If you have any questions or comments about the plan, or would like additional copies, we invite you to call:

Saskatchewan Justice
Communications and Public Education Branch
10th Floor, 1874 Scarth Street
Regina, Canada S4P 3V7
Phone: (306) 787-7872
or visit us online at:
http://www.saskjustice.gov.sk.ca

Performance Plan

Overview

Saskatchewan Corrections and Public Safety was formed on April 1, 2002. The department is made up of the following components from other departments: Adult Corrections from the Department of Justice; Young Offenders from the Department of Social Services; and, Protection and Emergency Services and Licensing and Inspection Services from the former Department of Municipal Affairs and Housing.

Components of what is now Corrections and Public Safety can be found in the 2001-02 Annual Reports of the Departments of Justice, Municipal Affairs and Housing and Social Services. The first Corrections and Public Safety Annual Report will be published for the period April 1, 2002 to March 31, 2003.

The mandate of the department is to promote safe communities by delivering effective programs for individuals in conflict with the law, through emergency planning and communication, building standards, fire prevention and disaster assistance, and through licensing and inspection services.

Meeting public expectations requires that the department work closely together with a number of key partners and stakeholders, including municipal governments, the Federation of Saskatchewan Indian Nations (FSIN), Métis Nation of Saskatchewan (MNS), Community-Based Organizations, police, fire and other professional service and safety providers, clients and their advocates.

The Performance Plan will evolve as we continue to consult with staff, stakeholders, clients and others in refining the Corrections and Public Safety strategic plan during the year. The development of performance measures will enable us to report results in the 2002-03 Annual Report.

Corrections and Public Safety is a large department, with about 1,600 staff throughout the province, serving thousands of clients annually through a wide array of programs and services.

2002-03 Budget Overview

Provincial investment in Corrections and Public Safety to promote safe communities is $108.543M. The following table shows the 2002-03 breakdown of departmental spending by function.

2002-03 Budget
(in thousands of dollars)

Adult Corrections	$ 59,200
Young Offenders Programs	$ 35,400
Public Safety	$ 6,100
Accommodations	$ 5,500
Department Operational Support	$ 2,300
Total	$108,500

Adult Corrections funding includes community operations, community training residences, custody facilities and support for the program (probation services).

Young Offenders Programs include regional operations, alternative measures, custody facilities and programs, and program support.

Public Safety includes emergency planning and preparedness, the Office of the Fire Commissioner, building codes, Sask 911, as well as the licensing and inspections activities for boilers, pressure vessels, elevators and amusement rides.

Funding for capital improvements and lease arrangements for government-owned facilities is included within Accommodations.

Trends and Issues

Safe Communities

Saskatchewan communities face a number of challenges in the area of public safety. Recent world events, high crime rates, changes in the economy, changes in demographics and in the social structure of the province, increased demands on correctional programs and increased technology have all contributed to public concerns about issues of safety.

The terrorist events of September 11, 2001 and subsequent international responses have increased the awareness of Canadians to reassess the risks to security and safety. The province has shared responsibility in many of the areas related to public safety and security.

While Saskatchewan, in general, is at relatively low risk as a target for terrorist activities, we have recently experienced natural disasters that have challenged the abilities of municipalities, the provincial government and the federal government to respond (e.g. flooding in 2000, forest fires and wildfires in 2002). A key question has become what level of response is appropriate at the local, regional, provincial and national levels.

There are also important changes in technology, the marketplace and global economy. Another challenge is the development of an effective regulatory framework, reflecting current best practices, technology and safety requirements in a way that balances risks and responsibilities more equitably between government and industry.

Corrections

Adult and youth corrections are also experiencing change. Since 1995/96, the main increase in adult correctional programs has been in community corrections, which has increased significantly with the introduction of conditional sentences (custody sentences to be served in the community). The number of offenders incarcerated has slightly decreased during that time period. While custody admissions have decreased, sentence lengths have increased resulting in a relatively stable count over time. At any time, 82% of offenders are serving sentences in the community, 13% are sentenced to a custodial facility and a further 5% are in custody awaiting court appearances.

Historically, Saskatchewan has seen a high number of Aboriginal offenders incarcerated in the correctional system. Recent figures (2001) indicate that 77% of offenders admitted to custody in Saskatchewan are of Aboriginal descent. Many Aboriginal people in Saskatchewan live under social conditions that are shown by research to contribute to criminal behaviour. Although there is no single cause of crime, risk factors, or vulnerabilities, work together over time to influence the likelihood of negative outcomes. Major risk factors are poverty, abuse, violence, education and employment problems and substance abuse.

Saskatchewan has a high percentage of at-risk youth, families and communities, and many Aboriginal youth, in particular, experience the conditions that contribute to misconduct and crime.

There are high numbers of Aboriginal people in the justice system, especially in custody programs, and with the province's Aboriginal population expected to increase by approximately 50% between 1998 and 2016, effective programs need to be developed or the proportion of Aboriginal youths and adults in the correctional system will continue to grow.

Correctional services in all jurisdictions have been the subject of public concerns about the release of high-risk, violent offenders. A combination of incarceration, risk and needs assessment, and the delivery of appropriate programs to these offenders will most likely have the desired outcomes that communities expect of the correctional system. The correctional system must focus its resources on high risk and high need individuals and define a basic level of service for low risk/low need offenders. In addition, the justice system must play an active role in identifying communities at risk throughout the province.

Young Offenders

The public has been particularly concerned about youth crime. The present response relies heavily on the youth justice system to deal with adolescent misconduct. Saskatchewan has the highest rate of all reported crimes in the country and has the highest charge rate for youth. Saskatchewan also has one of the highest rates of the youth population appearing in youth court and the highest youth incarceration rate. Community and professional services are challenged to address youth needs at the individual, family and community level.

The federal *Youth Criminal Justice Act* will come into effect in April 2003. While the Act will protect society from violent and chronic offenders through increased custody and supervision, it will also allow for the treatment of more offenders while under supervision in community programs. Programs will need to effectively address the needs of offenders in the community and society.

If Saskatchewan continues to operate as it presently does, and custody grows at the rate projected, there will be significant costs to house the increased numbers of youth being sentenced to custody.

Where we are headed, what we intend to do and how we will measure progress

Our Vision

Working together for safe Saskatchewan communities.

Our Goals

Goal 1: Communities have the capacity to enhance public safety.

Goal 2: Re-offending behaviour is reduced due to effective program interventions with offenders.

Goal 3: Government and communities are prepared for emergencies and maintain building and fire standards.

Goal 4: Safe, healthy and respectful workplaces.

Our Commitments

The government announced an Auto Theft Task Force strategy in January 2002, focussing on prevention, first-time and chronic offenders and providing supervision and rehabilitation programs for youth in custody and in the community.

The government is committed to continuing a range of actions to control offenders through strict supervision. Statistics to date in 2002 show a 30 per cent reduction in auto thefts and attempted thefts in Regina compared to the same period last year.

Goal 1 – Communities have the capacity to enhance public safety

bjective 1: Government, in partnership with Aboriginal organizations and other community-based organizations, plans and delivers effective adult and youth correctional services.	Key Actions for 2002-03
People are less likely to commit crime if they feel valued in their community and know what is expected of them. It is important that victims are supported by their communities so that they will not fall into a cycle of despair and self-destructive behaviors, and that offenders become reintegrated with their communities and receive support from the community in making positive changes in their lives to help prevent future offending.	• Increase the number of service agreements with First Nations and Métis communities and organizations, e.g. alternative measures and intensive supervision. • Continue participation in the Northern Cree Court Project, including the evaluation process. • With the assistance of the Elders Advisory Committee for Adult Corrections, increase the availability of Elder services. • Participate in the development of strategies to address the FSIN Corrections Strategic Plan. • Participate in the First Nations and Métis Commission on Justice Reform process. • Enhance cultural programming in youth and adult facilities in conjunction with Aboriginal communities. • Develop community justice initiatives, with an emphasis on Northern initiatives, with the Department of Justice, communities and community-based organizations.

Objective 2: Government and community service providers work together.	Key Actions for 2002-03
Most of the root causes of crime lie outside the scope of the criminal justice system; these causes can only be addressed through partnerships and integrated work among many stakeholders. However, there are justice system factors that can be directly addressed by the Department in cooperation with Aboriginal communities, governments and organizations, other stakeholders in the criminal justice system, and other government and non-government agencies.	• Implement strategies associated with the new federal *Youth Criminal Justice Act* in collaboration with Justice, Social Services, Health and Learning. • Develop information-sharing protocols with the Department of Learning and the school system. • Develop a community-supported continuum of services for youth using the structure of the Regina and Prince Albert Youth Justice Forum pilots. • Provide local and area-wide fire officials with the tools to enhance their ability to become self-sufficient in conducting plan reviews and inspections.

Objective 3: Communities are educated, trained and aware of public safety issues.	Key Actions for 2002-03
The department delivers a number of programs and services that contribute to a safe living environment. This is accomplished by working with municipalities, fire services, those involved in building and fire code safety, emergency services providers, and individuals and industries involved in the manufacture, installation and operation of building-related heavy equipment. Education, training and public awareness are critical to improving community safety.	• Support municipal disaster preparedness through training and development programs in the areas of mitigation, preparedness, response, and recovery. • Provide training to improve the skills and knowledge of local assistants in fire investigation procedures and techniques, and fire incident reporting. • Expand the "train the trainer" model in fire safety. • Support the training and certification of building officials and fire inspectors at the local level. • Provide support to fire departments in the provision of fire safety education in local communities. • Develop communication and education strategies in support of community and client education. • Implement a community consultation process for adult probation and young offender services.

Goal 2 – Re-offending behaviour is reduced due to effective program interventions with offenders.

Objective 1: Program interventions reflect current research and evidence-based practices.	Key Actions for 2002-03
There is a growing understanding that the incarceration of offenders, by itself, is not the answer to reducing re-offending behaviour There is recognition that a combination of supervision, risk and needs assessment, and the delivery of appropriate programs to high risk, violent offenders will more likely meet communities' expectations of a correctional system. Continual monitoring of research and evidence is essential for successful outcomes.	• Implement an integrated case management process throughout adult corrections and the young offenders program. • Align vocational skills development, job attachment and business goals and programming outcomes for offenders (e.g. Prism Industries, young offender employment development, restitution programs). • Enhance programs that integrate custody and community services for youth. • Implement the Level of Service Inventory – Saskatchewan Youth Risk/Needs Assessment provincially. • Develop a research agenda and evidence-based interventions for adult and youth corrections. • Participate in the national Pre-Sentence Report study to assist in the development of best practices. • Conduct a review of programs to ensure the needs/risks of offenders are being addressed properly. • Identify and implement specific strategies in each region to increase the level of involvement by families and communities in the case management processes. • Develop policies and procedures to support an integrated case management system with the Department of Health to deliver programs (i.e. the High Risk and Violent Offender Program, Intensive Rehabilitative Custody and Supervision sentences). • Develop a case plan protocol for individuals with complex needs as part of the Human Services Integration Forum initiative. • Increase the educational and vocational opportunities for youth and adults in custody.

Objective 2: Staff and programs respond to the cultural and spiritual needs of Aboriginal clients. For the justice system to be effective it must treat Aboriginal people fairly, and work to address issues that now result in high levels of offending behaviour and victimization of Aboriginal people. The keys to this include: supporting Aboriginal communities, organizations and governments in developing, delivering justice services; integrating the values, cultural practices and beliefs that meet the needs of Aboriginal people; and, employing more Aboriginal people in the justice system.	**Key Actions for 2002-03** • Deliver Aboriginal cultural awareness training to staff. • Increase the use of employment equity provisions for hiring staff in the Department. • Enhance culturally appropriate programming and opportunities, e.g. Aboriginal Roundtable, Elders Program, Prince Albert Healing Lodge. • Involve First Nations organizations in implementation and training activities specific to the federal *Youth Criminal Justice Act*. • Implement the strategies for the inter-departmental approach to deal with offenders with Fetal Alcohol Syndrome (FAS), and offenders with disabilities. • Participate in the Métis and Off-Reserve First Nations People Strategy.

Objective 3: Programs and services support the appropriate use of diversion, alternatives to custody and the reintegration of offenders in communities. The need to provide appropriate programs to address the needs of offenders as a means of minimizing the risk they pose and addressing their criminogenic needs is an ongoing challenge. Effective early intervention services, such as diversion and alternative measures, can prevent offenders further involvement in the criminal justice system. Community treatment and reintegration programs that address the needs of offenders and manage risk to the community, are more effective in achieving long-term behavioural changes.	**Key Actions for 2002-03** • Develop an inventory of community services that support the needs of offenders. • Expand alternative measures programs for youth. • Build more alternatives to custody and remand to promote an increase in the use of conditional sentences and intensive supervision, targeting the level of service to the level of risk. • Improve integration of service delivery and communication within our department and between justice services and other stakeholders.

Objective 4: An effective accountability process is in place for programs and services. There is a growing demand from the public and advocates for all corrections services to become more effective and efficient, to be more open to public scrutiny, to give better quality service to clients, to provide appeal processes and to be more accountable.	Key Actions for 2002-03 • Conduct audits and implement quality assurance measures to enhance effectiveness and efficiency of services. • Buffalo Narrows and North Battleford Community Correctional Centres to develop and lead a specific strategy for community consultations. • Review and update as required the policies and procedures for safeguarding personal information. • Manage fiscal resources effectively to ensure responsible stewardship of public funds. • Develop Departmental performance measures and evaluation strategies. • Develop workplans to support program and service delivery.

Goal 3 – Government and communities are prepared for emergencies and maintain building and safety standards.

Objective 1: Emergency preparedness and safety awareness is increased across the province.	Key Actions for 2002-03
Prior to recent world and regional events, the province was already facing the challenge of being able to respond to national emergency planning and security initiatives. With increased emphasis being placed by the federal government on national security, including essential infrastructure, these challenges have increased. Internal and external pressures will require the department to develop policies and stretch limited resources as far as possible to respond to sector demands for inspection and licensing services, enhance municipal capacity for emergency preparedness, improve provincial emergency management, and respond to certain federal initiatives, all of which provide a safe living, working and recreational environment.	• Develop a CPS Departmental emergency plan. • Conduct crisis management training and crisis simulation in each adult and youth facility. • Coordinate and lead development of a provincial government public emergency and security plan. • Complete implementation of the Sask911 call-taking system across the province. • Provide support to communities to maintain their state of emergency preparedness through the review and development of municipal emergency plans. • Develop tools and support for communities to conduct risk assessment on potential fire hazards and to self-evaluate their fire prevention, protection and suppression services. • Serve as the lead role in developing and co-ordinating public education and awareness campaigns on fire and life safety focusing on "Risk Watch", "Fire Prevention Week", seminars and workshops for educators, and advancement of the National Fire Protection Association standard.

Objective 2: Safety enforcement is applied by government, communities and other stakeholders within a regulatory regime that balances government, public and stakeholder interests. Many of the acts and regulations in the public safety sector are outdated, and do not reflect current regulatory best practices, technology or safety requirements. The challenge is to more equitably redistribute responsibilities and liabilities for risk mitigation activities, between government and those responsible for creating risk. As a result, certain industry sectors are likely to continue to seek to improve the way in which government regulates their industries and responds to technological change.	**Key Actions for 2002-03** • Consult with key stakeholders, implement the provisions of *The Boiler and Pressure Vessel Act*, and bring into force regulations. • Initiate amendment to *The Passenger and Freight Elevator Regulations* to adopt the latest editions of governing codes and standards. • Review and begin to implement federal initiatives on Critical Infrastructure Protection, Disaster Mitigation Strategies, Anti-terrorism, and Disaster Financial Assistance Agreements in Saskatchewan. • Develop and implement a strategy on long-term governance of Sask911. • Hold public consultations on the adoption of new building and fire codes. • Contribute to, and participate in, national and international standards development respecting building, fire, pressure equipment and elevator safety codes and standards. • Improve capabilities of gathering, storing and distributing fire incident information, including rationalizing incident reporting with the new Canadian Code Structure (CCS).

Goal 4 – Safe, healthy and respectful workplaces.

Objective 1: Employee capability and competency is enhanced.	Key Actions for 2002-03
Strategic Human Resource planning to enhance employees' skills and abilities in a new department including staff training plans, equity programs and recruitment. These initiatives are fundamental to maintaining an effective working environment.	• Develop and implement work unit learning plans that incorporate the prioritized organizational competencies, assessment tools, learning plans and learning guides and that are linked to the Department's overall strategic plan. • Deliver the FAS, Sex Offender and Alternatives To Violence core training modules to all new community operations staff. • Review supervision standards to ensure open communication, effective feedback and a sense of inclusion and commitment for staff. • Implement an Aboriginal Intern program in the Office of the Fire Commissioner.

Objective 2: Occupational health and safety is improved at all work sites.	Key Actions for 2002-03
Staff and client safety and security are important issues at all correctional facilities, requiring that careful management of risk and appropriate levels of protection be in place.	• Implement the Work Place Safety and Security guidelines and ensure yearly self-audits are conducted using the process outlined in the guidelines. • Develop and implement an offender gang management strategy in all correctional centres and young offender facilities. • Implement the approved recommendations from the Corrections Health Care Review working group. • Ensure all adult and youth custody facility staff receive First Aid/CPR and Intervention training.

Objective 3: Client's rights are respected and they are ensured access to due process. It is necessary to strike an appropriate balance between security, supervision and treatment, and the rights of the clients. Achieving this balance involves working closely with the offices of the Ombudsman, Children's Advocate and other client representatives.	Key Actions for 2002-03 • Implement legislative amendments to *The Correctional Service Act* that reflect the principles of the duty to act fairly. • Facilitate the involvement and perspectives of victims in correctional programs and services. • Develop a sentence calculation system to meet the needs of the federal *Youth Criminal Justice Act*. • Ensure all youth have access to appropriate legal and advocacy services. • Review the client appeal process and procedures in young offender facilities. • Maintain an on-going dialogue with the Ombudsman and the Children's Advocate.

Contact Information

If you have any questions or comments about the plan, or would like additional copies, we invite you to call:

Saskatchewan Corrections and Public Safety
Communications and Public Education Branch
(306) 787-5051

or visit us online at:
http://www.cps.gov.sk.ca